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ABSTRACT

To determine the precise nature and extent of the problem confronting Alaskan women, the Legislature in 1976 directed the Human Rights Commission to conduct a study on the status of women in education, employment, health, and the justice system. This publication contains the results of that study. Data for the study were secured through interviews with experts, administrators and staff of services for women, and with users of services; analysis of available statistical data; and when possible, collection and analysis of original data such as surveys of housewives, battered wives, and lawyers, respectively. Some of the issues that were explored in the field of education include sex bias in curriculum materials, athletics, counseling, and vocational training. Employment research centered on sex segregation in occupations, inequality in income, and the needs of working mothers. The health study focused on the special emotional crises occasioned by divorce and wife battering and on the difficulties in obtaining access to abortions and family planning services. The handling of rape cases, the dehumanizing treatment of women in prisons, the insufficient response to wife beatings, the difficulties faced by women undergoing divorce, and the inequalities found in the legal profession were examined in the context of the justice system. (Author/RM)

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A Preliminary Study:

The Status of Women in Alaska

MAY 2 1977

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Compiled by the University of Alaska
Institute for Social and Economic
Research, and Joan Katz, for the Alaska
State Commission for Human Rights

January, 1977

STATE OF ALASKA

HUMAN RIGHTS COMMISSION

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January 18, 1977

Alaska State Legislature
Juneau, AK 99811

In accordance with House Bill 795, the Alaska State Commission for Human Rights is pleased to present the results of its preliminary studies on the status of women in Alaska.

We are well aware of the limited scope which the Legislature intended the Commission to pursue in this series of studies, particulary the deletion on the House floor of proposed studies of minority women. We attempted to locate such data, anyway. We learned that data relating to non-Native minority females was not readily available. Until this data can be documented we believe a total overview would require original research and surveys. Nevertheless, we believe that much significant data has been developed which will be invaluable to the Legislature in its deliberations. We anticipate heavy demand for the report from the public and from those organizations which require specific documentation concerning Alaskan women.

Where appropriate, we have recommended legislative action which we believe will alleviate discrimination and other forms of social disadvantage which Alaskan women experience. We have also recommended those areas in which we think the Legislature could expect the greatest return from further studies on this subject, particularly those areas in which data is severely limited, such as Blacks and other non-Native minority women.

On behalf of the Commission, let me express our appreciation for the opportunity to serve the Legislature in this undertaking, and our willingness to engage in further efforts as the Legislature may require.

Sincerely,

Carol L Smith

Carol L. Smith
Chairwoman

The Status of Women
in Alaska
1977

by
Dorothy M. Jones
Marsha E. Bennett
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chapter: Kathleen Lautaret interviewed police officials and collected statistical and other data. Peter Ring of the Criminal Justice Center shared his knowledge about rape and explained the positions of the Criminal Code Revision Commission; he also made available a good portion of his library. And Sam Barnard of the Alaska State Troopers granted a frank and lengthy interview regarding the realities of police work with rape victims.

The work on women offenders was made possible by the information provided by Judith Hill, Deputy Director of the Criminal Justice Planning Agency and by materials furnished by the Human Rights Commission; thanks also to Superintendent Moses of the Anchorage Annex for allowing a personal tour of the premises and making his correctional officers and the prisoners available for interviews.

Phil Nash of the Child Support Enforcement Agency gave an invaluable on-the-spot interview in connection with the divorce chapter; Karla Forsythe and Jewel Hall of Alaska Legal Services also extended their assistance. The battered wives chapter could not have been written without the special cooperation of Captain Weaver of the Anchorage Police Department. In addition, Dorothy Newman at the University of Alaska supplied important pieces of information about wife beating locally and on a national level.

The chapter on legal professionals was put together with te assistance of Anne Vitek, who undertook the arduous task of compiling the answers contained on the lawyers' survey forms in a useable form, and Kitty Calhoun, who ferreted out the basic information on the judicial selection process in Alaska. The lawyers and judges who responded to letters and questionnaires are also gratefully acknowledged.

Most important, however, warm appreciation and thanks are extended to the many, many women who had the courage in some cases, the need in others, and the willingness in all to share their experiences as raped women, battered women, divorced women, and women offenders. Without what was for many of them a very painful reliving of past events, there would have been no report on the status of women in the Alaska justice system.

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INTRODUCTION

In its first official action taken in 1913, the Alaska Territorial Legislature made history by granting voting rights to Alaska's women citizens. It took the rest of the nation until 1920 to adopt the Nineteenth Amendment to the U.S. Constitution, extending the right to vote to women everywhere else in the country.

Alaska led the way again with adoption of a civil rights clause in its state constitution, ratified in 1956. A national civil rights act was not implemented until nearly a decade later. And in 1972, Alaska was among the first states to ratify the proposed Equal Rights Amendment to the U.S. Constitution. At the same time, the civil rights clause of the Alaska constitution was amended to prohibit sex discrimination. Alaska's civil rights laws have now been expanded to forbid discrimination on the basis of pregnancy, marital status, change in marital status and parenthood.

Alaska's legal framework, thus, suggests a progressive concern for equal rights for women. In fact, however, women in this state still face enormous social, economic and legal obstacles in attaining the security and fulfillment which should be potentially available to all of us. To determine the precise nature and extent of the problems confronting Alaskan women, the Legislature in 1976 directed the Human Rights Commission to conduct a study on the status of women in the four areas of health, education, employment and the justice system. The initial cost estimate for the study was $200,000. The bill as enacted authorized $25,000 and, in view of this severe funding limitation, defined the study as a "preliminary investigation."

The Human Rights Commission awarded contracts to two parties. Joan M. Katz, a private attorney, conducted the justice system segment of the study. The Institute of Social and Economic Research of the University of Alaska undertook the health, education and employment portions of the report. Dr. Dorothy Jones, Associate Professor of Sociology, assumed major responsibility for designing and writing the Institute work. Marsha Bennett, research sociologist, wrote the employment and income section. Mariana Foliart, Institute Senior Research Associate, collected and analyzed data, aided by Monica Deif and Mary Ann VandeCastle. Since the funds appropriated were insufficient to accomplish even the limited goals of the study, all parties involved contributed support services, staff time and their own time greatly in excess of the grant coverage.

The primary aim of the study was to identify problems facing women in the four areas under investigation, particularly those that might lend themselves to state action. Many of the circumstances uncovered either did not fall specifically within one of the study areas or simply could not be included due to limited time and funds. Such issues are exemplified by emergency housing for women, women's position in the family, the organizational structure of the corrections sytems, the adequacy of the welfare system to meet the needs of low income women, problems of older women, and prostitution. These are important public concerns which merit further legislative and public attention.

Some of the issues that were explored in the field of education include sex bias in curriculum materials, athletics, counseling and vocational training. Employment research centered on sex segregation in occupations, inequality in income, and the needs of working mothers. The health study focused on the special emotional crises occasioned by divorce and wife battering and on the difficulties in obtaining access to abortions and family planning services. The handling of rape cases, the dehumanizing treatment of women in prisons, the insufficient response to wife beatings, the difficulties faced by women undergoing divorce and the inequalities found in the legal profession were examined in the context of the justice system.

Data for the study were secured through interviews with experts, administrators and staff of services for women, and users of services; analysis of available statistical data; and when possible, collection and analysis of original data, such as surveys of housewives, battered wives, and lawyers, respectively.

The results of the research into these diverse issues are presented in this report. Considerable factual material is set forth to establish as accurately as possible what the status of women in Alaska actually is in the areas under consideration. Specific problems found are analyzed, and recommendations for remedial state action are made. Many of the problems uncovered are critical and experienced by large numbers of Alaskan women. It is hoped that this study will serve to focus public attention on the issues and to support legislative action to improve the status of Alaskan women.

WOMEN AND EDUCATION

Dorothy M. Jones

In this chapter, we examine five topics concerning women and education in Alaska:

- Sex bias in education, namely in curriculum materials, athletic programs, and career guidance;
- The effects of sex bias in education on high school girls' occupational aspirations;
- Sex segregation in vocational training programs;
- Aspirations and major fields of interest of college women;
- Sex discrimination in education employment at the primary, secondary, college and university levels.

The major sources of Alaska data for this chapter are:

- 1970 Census of population regarding years of college completed;
- University of Alaska enrollment, majors, and personnel information by sex;
- Alaska Department of Education information on salary and rank of employees by sex;
- Comprehensive Employment Training Act, Bureau of Indian Affairs, and Anchorage School District Career Center vocational trainee enrollees by sex and field of training;
- Scholastic Aptitude Test records on occupational aspirations of college bound high school students;
- Student research on sex bias in psychology texts, high school athletic programs, school counseling, employment counseling, and on occupational aspirations of high school students.

Introduction

Boys and girls are raised in the same families and educated in the same schools. Yet, they receive very different educations which generate different life plans. Young boys aspire to be firemen, astronauts, doctors, lawyers, engineers, craftsmen; they are encouraged in their fantasies, and many realize them. Young girls' life plans are more limited. Girls expect to be wives, and some aspire to work, usually as teachers, nurses, and secretaries. Marriage and child rearing are still held up to girls and young women as the appropriate life plan. Girls are seldom informed of the social and economic realities of life, that:

> 90 percent of all women will be employed at some time in their lives;
>
> 40 percent of the labor force are women;
>
> 53.9 percent of all women over the age of eighteen are in the work force;
>
> one out of every eight families is headed by a woman;
>
> even if a woman marries, she can still expect to be employed outside the home for twenty-five years.[1]

Title IX of the Federal Education Amendments of 1972 requires each school and college to provide equal educational opportunities for females and males. Among its regulations are requirements to eliminate sex bias in the treatment of students, in access to course and extracurrical programs, and bias in career guidance counseling.

In September, 1976, the Office for Civil Rights of the Department of Health, Education and Welfare (Region X) informed the Alaska Department of Education that it was in presumptive noncompliance with the provisions and regulations of Title IX. One reason for the finding was the department's failure to provide "analysis and remedial action of all state programs and services which affect the local educational agencies, including, but not limited to, teacher and administrative training and certification, access to courses and physical education programs, counseling and general treatment of students."[2]

Sex Bias in Education

The sex role differentiation begun in early childhood continues throughout the school years. At every level females are socialized to the expectation that men do the important political and economic work of the society and. that women do subsidiary and less important work. This message is conveyed through curriculum materials, athletic programs and career guidance.

Curriculum Materials

Title IX of the federal Education Amendments of 1972 does not cover curricular materials because educational content is left to local control. However, evidence of sex bias in education curriculum has led a number of state legislatures to enact legislation on this issue. Alaska has no such legislation.

What is portrayed in school texts, from primary readers to high school science textbooks, may be considered an index to the world. School texts present pictures and stories of who and what is admired and valued in our society.

The limitations of this study did not permit us to conduct research on curricular materials used in Alaska. However, texts used in Alaska are usually nationally recognized materials, and research in other states indicates that sex bias in curriculum materials is pervasive and widespread.

Analysis of illustrations and content in the most respected and commonly used texts in subjects ranging from readers to social studies to science and math have shown that females who constitute 53 percent of the population appear in a third or less of illustrations.[3] As children progress from kindergarten through high school, the images of females in selected textbook series are even fewer. In second grade readers, illustrations of females make up 32 percent of the total; by sixth grade, the proportion decreases to 20 percent.[4]

Moreover, boys and men are portrayed in self-oriented roles, as individualistic, adventurous, active, energetic, and skillful. Women and girls are typically shown in passive and other-oriented roles, cooking, cleaning, nurturing, waiting, and helping. The story content in textbooks and other curricular materials support the sex roles assigned in graphic illustrations. The most positive portrayal of women in textbooks is in the role of mother. Rarely are they shown fulfilling career roles, although men are most often shown in occupational settings outside the home.[5]

Even in college textbooks, the same sex bias is found. A senior student at the University of Alaska, Bill Horr, in preliminary research on sex-stereotyping in college texts, examined illustrations in thirty introductory psychology books all published since 1970. Horr found that males appear in pictures more than twice as frequently as females: 68.5 percent male-only illustrations compared to 27.2 percent female-only. Table 1 shows the ten most frequently depicted roles of males and females in these textbooks. It reveals that women are most frequently depicted as mothers while men are most frequently shown in an occupational setting. Eight of the ten most common portrayals of men are in work roles compared to only three of ten for women. Further, men tend to be portrayed in exciting work roles--artist, athlete, astronaut, president, scientist--while two of the three work roles in which women are shown--nurse and teacher--are traditional feminine roles and imply no special adventure or excitment. The third work role shown for women, researcher, implies an ancillary role to scientist. A final difference in these ten top roles for males and females is that women are shown in a negative way, as neurotics, in five books, while no men are shown in a negative context.

Table 1. Maculine and Feminine Roles Portrayed in Introductory Psychology Textbooks Available at the University of Alaska, Anchorage, Alaska.

Female		Male	
Role	Number of Books Observed In	Role	Number of Books Observed In
Mother	25	Research Subject	19
Nurse	15	Scientist	17
Student	13	Athlete	14
Research Subject	11	Student	13
Teacher	10	Father	11
Researcher	10	President	10
Psychotherapy Patient	7	Artist	7
Sex Object	6	Astronaut	6
Neurotic	6	Pilot	5
Bride	5	Farmer	5

source: Bill Horr, "Introductory Psychology Texts: Sexual Bias in Graphic and Photographic Illustrations", Term Paper, Sociology 493, University of Alaska, Anchorage, December, 1976.

Thus, we see that from kindergarten through college, students are exposed to text books that reinforce the notion that men do the important economic and political work of the society and women do the less important work. If girls are to be adequately prepared for the reality that they will probably work for a substantial part of their adult lives, then eliminating curriculum materials which deny this reality is necessary.

Sports

Competitive sports may be viewed as preparatory to adult work roles. Sports train participants in habits of discipline, teamwork, and cooperation, skills necessary for success in the modern world of factory and bureaucracy and for leadership in the political world. Yet, there are marked inequities in the athletic programs for boys and girls.

As the Education Commission of the States points out, "from the earliest grades, many girls' physical education classes and athletic programs have focused on developing grace rather than strength--activities which do not present a possible career choice."[7]

This national Education Commission also points out that at all educational levels girls' athletic programs are separate and unequal--in facilities, expenditures, scholarships, coaching personnel, and playing experiences. Girls' teams are generally coached by volunteers or teachers in other fields drafted into coaching to fill a void.[8] The lower expenditures for girls' athletic programs results in girls having to privately raise funds for such things as uniforms and travel to other cities, while funds for travel and uniforms are usually available to boys' teams. Frequently, the best facilities are reserved for boys or made available to girls at odd hours when they are not in use by the boys.

Title IX of the Education Amendments of 1972 requires each school or college to provide equal athletic opportunity. It does not, however, require equal expenditures for male and female athletic programs and allows schools considerable flexibility in determining how best to provide such equal opportunity. Where competitive skill is required to be selected for a place on the team or the activity is a contact sport, separate teams can be provided. Separate teams for every (or any) sport are not required by the regulation if sufficient interest in a particular sport is not demonstrated.

Judy Franklet, a University of Alaska, Auke Bay campus, student conducted research to determine whether sex inequality existed in high school athletic programs in the state.[9] She sent a questionnaire to the fifty-eight secondary level schools in the state of which 65 percent of district schools, 33 percent of on-base schools, and 21 percent of rural schools responded. The questionnaire sought data on participation in extracurricular activities and expenditures for these activities. Overall, she found participation rates were relatively equal between the sexes, but when she analyzed participation rates by athletic and non-athletic extracurricular activities, she found striking differences. Males accounted for 62 percent of participants in athletic activities. The reverse was true of non-athletic activities--females comprised 66 percent of participants.

Table 2 shows participation rates by type of athletic activity. The only athletic activities in which female participation rates are higher than male are traditionally feminine sports--volleyball, swimming, and gymnastics. Participation rates for the two sexes are about equal for intramural basketball and cross country skiing. Males predominate in the rest of the sports activities which are traditionally male and include the high prestige sports such as football, baseball, hockey, rifle, and varsity sports.

Table 2. Participation Rates in Athletic Programs by Sex, Alaska Secondary Schools, 1975.

	Number of Schools	Number of Participants		Percent Female
		Female	Male	
Activities in which Females Predominate				
Volleyball	12	179	12	94
Gymnastics	9	217	38	85
Swimming	4	132	122	52
Activities in which participation is equal				
Basketball (intramural)	15	850	852	50
Cross-Country Skiing	10	60	63	49
Activities in which Males Predominate				
Native Youth Sports	3	46	54	49
Soccer	9	124	151	45
Track and Field	24	492	686	42
Varsity (Sports)	37	200	300	40
Ping Pong	3	18	29	38
Rifle Team	3	33	55	38
Basketball (undifferentiated)	20	171	304	36
Miscellaneous Sports	3	35	70	33
Hockey	6	40	126	24
Softball	10	25	234	10
Wrestling	27	15	687	2
Junior Varsity (sports)			205	0
Football	3	0	145	0
Total		2837	4133	40

source: Judy Franklet, "A Survey of Interscholastic Activities of Secondary Schools", mimeo, p.30,31.

Even more striking than differences in male and female participation rates are inequities in expenditures for boys' and girls' sports. Table 3 shows that total expenditures for sports for males is 283 percent more than the expenditures for females. The average cost per male student is 73 percent higher than the average cost per female student. Table 3 also reveals that average faculty salaries for male sports are considerably higher than faculty salaries for female sports. The one area in which no inequity appeared is in student/faculty ratio in sports which was the same for both sexes.

Table 3. Expenditures for High School Athletic Programs by Sex, Alaska, 1975.
(to nearest whole number)

	Number of Schools	Number of Sports Faculty	Average Monthly Salary of Faculty	Expenditures		Number Students	Student Faculty Ratio	Average Cost per Student
				Average S.E.T.*	Average Total			
Boys Programs								
High School Varsity (sports)	17	20	$977	$3442	$5199	250	12.5	$361
Junior High Varsity (sports)	19	25	316	309	634	411	16.4	38
Football	2	14	853	24,643	12,193	145	10.4	241
Cross-Country Skiing	9	15	189	576	765	300	20.0	50
Wrestling	21	28	496	844	1451	513	18.0	90
Total	53	102	-----	------	--------	1619	16.0	156
Girls Programs								
High School Varsity (sports)	16	17	485	1,603	2,119	226	13.3	168
Junior High Varsity (sports)	7	11	189	62	292	180	16.4	17
Track & Cross-Country	3	8	260	172	469	164	20.5	22
Volley Ball	9	11	247	520	767	162	15.1	59
Total	35	47	295	589	--------	732	16.1	66

* Supplies, equipment, transportation

source: Judy Franklet, "A Survey of Interscholastic Activities of Secondary Schools in Alaska," mimeo, 1976, pp.30-31.

In sum, in spite of Title IX, inequity in secondary level athletic programs in Alaska not only persists but is marked. A portion of the inequity may be due to lesser demand for sports programs by girls than boys. On the other hand, the relatively low funding of girls' athletic programs may itself operate as a deterrent to participation. To increase opportunities for girls to participate in school sports requires providing the equipment, supplies, travel funds, and facilities that are available to boys.

School Counseling and Guidance

One of the provisions of Title IX of the Education Admendments of 1972 requires that male and female students shall not be discriminated against on the basis of sex in counseling and guidance. Testing methods and materials that are based on stereotypic assumptions about men's and women's interests and abilities and that treat students differently because of their sex are prohibited.

The field of career guidance should be the front-runner in the effort to rid our education institutions of sex bias. A preliminary examination of guidance materials in Anchorage schools by a teacher, Diane Frank, suggests that the materials have a strong sex bias. Out of ten illustrated pamphlets giving information about opportunities available in vocational-technical fields, only two--office occupations and food service--pictured a woman on the brochure.[10]

National studies suggest that sex bias in school counselors is ingrained.[11] Sue Merritt, head of the Anchorage School District Sex Equality in Guidance Opportunities program, confirms this finding. She said that counselors tend to respond only to immediate issues with little consideration given to the need to overcome the effects of past discrimination in education and to keep doors open for girls at every stage of their education. If girls drop out of classes such as math because of past sex bias in education, no effort is made to keep options open for them. According to Merritt, it will take repeated in-service training to overcome the entrenched sex bias in school counselors.[12]

Counselor bias is not limited to high schools. The counseling experiences of two graduate students at the University of Alaska, Anchorage, revealed strong sex bias and sex discrimination. One of the students, in her freshman career plan, said she wanted to be a minister, lawyer, or foreign correspondent. Citing from her account:

> The faculty counselor looked at the paper. There were two or three minutes of silence. "Well, you'll probably change your mind." This occurred in spite of the fact that on the college entrance exams I placed 84th percentile in effectiveness of written communication, and the 90th percentile in desire to influence people. I admired that man (counselor) and his lack of encouragement was devastating.[13]

The other student started college with an obsession to be a physician. Her story is revealing:

> Because of an entrance test for math I was placed in an advanced math class; I couldn't keep up and I didn't know it was possible to drop a class. The teacher gave me only words, no help. Not knowing where to turn I went to see the Spiritual Director, the only counselor we had then, and told him my plight. His response was "That's all right, Honey, you can always be a teacher. You don't need math for that." (emphasis added)[14]

Another female student wanted to be an engineer. She consulted the counselor at Anchorage Community College who gave her a brochure on engineering without further discussion. She was unsure about what programs to take and what field of engineering to specialize in. Her mother advised her to return to the counselor for more information. Two more attempts brought no results. Later she learned from a male friend who also planned to be an engineer that he had received an hour counseling interview at Anchorage Community College, got a course program set up, and received advice on an engineering scholarship, which he subsequently received. The different treatment of these two students does not appear to be related to lesser ability of the woman. She had been a straight A math student, while her male friend had been a B math student.[15] It could have been due to differences in assertiveness, to the female student's failure to ask specific questions. But if that were the case, then certainly it is the counselor's responsibility to ask the questions that could guide students in their career plans.

Guidance counselors can critically influence students' occupational choices. Therefore, it is essential that they increase their awareness of the economic reality that most women work for a large part of their lives and of the social reality that the family, schools, and media still socialize women primarily to family roles and to the expectation that if they work it will be periodic or of secondary interest.

Female Occupational Aspirations and Major Fields of Interest

Given the sex-typed curriculum, sex inequality in sports programs, sex bias in school counselors, and the myriad other sex-typed socialization influences on girls, it is not surprising to find that their plans for the future differ significantly from those of boys. Educational experts say that throughout their school years, girls restrict the range of occupations open to them and tend to choose lower ranking occupations than boys of the same age.[16]

Research on Alaska college bound high school students shows the same pattern (Table 4). Nearly half (45.8 percent) of girls' first choices of major are in traditionally female areas--humanities, education, and health and medical. By constrast, only 15.8 percent of boys' first choices fall in these areas. The boys' choices overwhelmingly fall into traditionally male areas.

Table 4. Intended Areas of Study, First Choice, 10th to 12th Grade College Bound Students, 1975-1976

	N=495 Female percent	N=478 Male percent
Health and Medical	16.4	7.1
Humanities	15.5	6.4
Education	13.9	2.3
Social Science	11.9	9.4
Commerce and Business	12.7	9.6
Biological Science	6.3	7.7
Agriculture	2.2	3.8
Communications	2.0	2.3
Computer Science	1.4	1.7
Architecture	1.6	2.7
Physical Science	1.4	7.7
Forestry-Conservation	1.4	2.1
Engineering	1.4	22.2
Trade and Vocational	1.2	0.8
Home Economics	0.8	0.0
Mathematics	0.8	1.9
Military Science	0.0	2.7
Other	2.0	3.3
Undecided	6.9	6.1

source: Sanna Green, Counselor, Bartlett High School, Data from the 1975-1976 Scholastic Aptitude Test for Alaskan students.

Diane Frank, a teacher and University of Alaska student, found an even larger proportion of girls aspiring to traditional female fields. Frank gave a questionnaire to 196 predominantly white Anchorage students in grades ten through twelve (102 males and 94 females).[17] The majority of females (68.1 percent) aspired to traditionally female occupations, but all men save four (who aspired to be teachers) chose traditionally male occupations (Table 5). Only a small proportion of girls expressed interest in high status occupations--doctor, attorney, scientist, and engineer. And often these girls did not aspire to the top position in their fields. For example, girls interested in the medical field tended to aspire to be nurses, health technicians, or aides; the student interested in the veterinary field aspired to be a veterinary assistant.

A further difference appeared in the number of occupational choices mentioned by boys and girls; girls mentioned thirty-four different occupations compared to forty-one for boys.

Table 5. Occupational Choices of 10th to 12th Grade Students, Anchorage, November, 1976.

	Female	Male	Percent Female
Traditional Male Occupations			
High Status			
Medical Profession (doctor, dentist, veterinarian)	4	4	50.0
Attorney	4	3	57.1
Scientist	4	6	40.0
Engineer	1	6	14.3
Other			
Accountant	4	1	80.0
Electronics Technician	1	4	20.0
Truck Driver	1	3	25.0
Fire Fighter-Forest Ranger	1	8	11.1
Sports	1	4	20.0
Pilot	0	6	0
Skilled Trades (construction, carpentry,mechanics,plumbing, longshoring)	0	32	0
Other	9	21	30.0
Traditional Female Occupations			
Secretary	15	0	100.0
Stewardess	14	0	100.0
Teacher	11	4	73.3
Medical Technology/Assistent	6	0	100.0
Dental Hygienist	4	0	100.0
Nurse	4	0	100.0
Librarian	1	0	100.0
Other	9	0	100.0

source: Diane Frank "Occupational Choices of Youth", Term Paper, Sociology 493, University of Alaska, Anchorage, Fall, 1976.

It is noteworthy that a large proportion of girls (74 percent) expect to be working in ten to fifteen years and 70 percent of those who plan to work expect to be working in the fields of their choice. This is not surprising in view of the fact that their aspirations tend to be low. By contrast, the boys not only have higher aspirations but every boy expected to be working in the field of his choice.

Marriage figured much more conspicuously in the responses of girls than boys. Over half of the girls mentioned marriage in their response to the question about what they expected to be doing in ten to fifteen years while only 5 percent of the boys mentioned marraige. Moreover, girls were more likely to mention marriage first and then work; only one boy mentioned marriage first.

The males apparently believe that they will be able to control their futures. The responses of females indicate the opposite. Some typical answers by girls to the question, what will you be doing in ten to fifteen years, are illustrative:

> I think I'll be coaching a basketball team. That's what I want but I bet I'll be home with four screaming kids.
>
> Raising a family. I'd rather be working in a lab (biologist).
>
> ..because I'm going to get married and by that time I'll probably have children which will mean all my schooling will be a waste (attorney).
>
> Either continue in this field or get married and be a housewife because if I have kids I would have to take care of them (oceanographer).

The lower occupational aspirations of girls than boys influence their plans for college. Research by the State Department of Education on students in grades ten through twelve shows that while a larger proportion of girls than boys plan to pursue a bachelor's degree, a significantly smaller proportion of girls than boys aspire to graduate study (Table 6).

Table 6. Educational Goals By Sex, 10th to 12th Grade College Bound Students, Alaska 1975-1976.

	N=497 Female Percent	N=489 Male Percent
Two Year Training Program	3	4
Associate in Arts Degree	2	0
BA or BS	33	27
MA or MS	18	24
MD, PhD, Other Professional	16	24
Undecided	28	20
Two Year Program or Degree	5	4
Graduate Study	34	48

source: Sanna Green, Counselor, Bartlett High School, Data from the 1975-1976 Scholastic Aptitude Test for Alaskan Students.

Vocational Training

The passage of the federal Vocational Education Act in 1963 and amendments in 1968 and of the Comprehensive Employment Training Act of 1973 opened up thousands of opportunities in vocational education. The extent to which Alaska women are using these new training opportunities is not clear. Our data on major vocational training programs in Anchorage, some of which serve the whole state, shows that overall women constitute only 24.6 percent of all trainees (Table 7). The 1970 census for Alaska reported that women (eighteen years and older) comprised 32.2 percent of all those who had completed vocational training.[18] But the census figure is based on a survey which included forms of vocational training not included in our data, namely military and college technical training. Thus, we lack a baseline to compare women's participation rates in vocational training programs, though the proportion is still strikingly small.

Table 7 also shows that female trainees tend to be concentrated in programs that provide no compensation or minimal compensation ($2.25 an hour) while men are concentrated in programs that provide a livable wage or allowance.

Table 7. Percent Female in Major Vocational Training Programs, Anchorage, 1976.

Programs	Female	Male	Percent Female
Comprehensive Employment Training Programs	300	254	54.2
On the Job Training (pays $3.50-$10.00 per hour)	64	178	26.4
Classroom Training (pays $2.25-per hour)	74	45	62.2
Anchorage Opportunities Industrialization Center (no compensation)	162	31	83.9
Bureau of Indian Affairs Vocational Training (pays family allowance)	202	458	30.6
Anchorage School District Career Center	260	513	33.6
Union Apprentice (pays apprentice Wages)	102	1837	5.3
Total	1164	3570	24.6

source: Federal Bureau of Apprentices, Statistics on Apprentices in Alaska, 1976; Anchorage Municipality Human Development Office, Statistics on Comprehensive Employment Training Act trainees; Bureau of Indian Affairs, Employment Assistance Adult Vocational Training; Anchorage School District Career Center.

Male and female trainees also differ in the number of different types of training received. Table 8 shows that overall males are enrolled in 1.4 times as many different types of training programs as females. The one program in which females receive more types of training than males reflects the focus of that program on specialized office skills.

Table 8. Number of Different Types of Job Training By Sex.

Program	Female	Male	Male/Female Ratio
Comprehensive Employment Training Act	52	79	1.5
On the Job Training	25	57	2.3
Classroom Training	15	16	1.1
Anchorage Opportunities Industrialization Center	12	6	0.5
Anchorage School District Career Center	16	19	1.2
Bureau of Indian Affairs	22	30	1.4
Union Apprentices	NA	NA	-----
Total	90	128	1.4

source: Federal Bureau of Apprentices, Statistics on Apprentices in Alaska, 1976; Anchorage Municipality Human Development Office, Statistics on Comprehensive Employment Training Act trainees; Bureau of Indian Affairs, Employment Assistance Adult Vocational Training; Anchorage School District Career Center.

Females and males show the most striking difference in types of programs in which they are enrolled. Females still constitute a very small proportion of enrollees in traditionally male occupations: 16.8 percent in Bureau of Indian Affairs programs, 13.5 percent in Comprehensive Employment Training Act programs, and only 8.9 percent in Anchorage School District Career Center programs(Table 9). Their proportions are even lower in union apprentice programs, only 5.3 percent (Table 7).

Table 9. Percent Female in Major Vocational Training Programs, Anchorage, 1976.

	Bureau of Indian Affairs [a]			Comprehensive Employment Training Act [b]			Anchorage School District Career Center [c]		
	Female	Male	Percent	Female	Male	Percent	Female	Male	Percent
Traditionally Female Programs	106	12	89.8	203	10	95.3	183	25	88.0
Clerical	82	10	89.1	193	10	95.1	0	0	0
Non-Clerical [d]	24	2	92.3	10	0	100.0	183	25	88.0
Traditional Male Programs	89	442	16.8	31	199	13.5	44	448	8.9
Trade/ Crafts	69	382	15.3	15	116	11.5	18	364	4.7
Other [e]	20	60	25.0	16	83	16.2	26	84	23.6
Sex-Neutral Programs [f]	7	4	63.6	66	45	59.5	33	40	45.2
Total	202	458	30.6	300	254	54.2	260	513	33.6

a. Bureau of Indian Affairs Program includes apprentice and classroom training.

b. Comprehensive Employment Training Act Programs include on-the-job training, and classroom training, and Anchorage Opportunities Industrialization Center emphasizes clerical skills and cosmetology.

c. Anchorage School District Career Center provides vocational training.

d. Examples of traditionally female jobs are homemaker, health aide, retail clerk, early childhood development, beautician, licensed practical nurse, nurse, dental technician, dental hygienist, practical nurse, cosmetology, tourism.

e. Examples of other traditionally male programs are business administration, surveying, building maintenance, maintenance, Fisheries technician, land use technology, drafting, police administration, upholsterine. taxidermist, transportation operatives, forestry technology.

f. Examples of sex-neutral programs are food services, real estate, fish processing, behavioral science, interior decorating, computor operator.

Sex bias in employment counseling appears to be as pervasive as in school counseling. One counselor summed up the widespread bias in his field:

> If a woman is given an aptitude test, usually her employment...counselor will discuss clerical jobs. If she doesn't have the ability to be a secretary, employment fields of sales clerk, food service, child care, or nursing (all traditional woman's jobs with traditionally low wages) are discussed.[19]

When asked if there were sex bias in employment counseling, another counselor said no, but noted a tendency for employment counselors to use traditional counseling materials without really "digging into them." This counselor related resistance by male counselors to a recent workshop on sex bias. The male counselors felt threatened by even dealing with the subject of sex bias.[20] A human relations expert who had worked in the field of counseling asserted that "while vocational training programs that receive federal monies readily sign agreements not to discriminate, they do not perceive discrimination when it exists. For example, they tend to see nothing discriminatory about the concentration of women in secretarial programs." She suggested that it is government's responsibility not only to require no discrimination but to spell out precisely what discrimination is and how to avoid it.[21]

Women are also complicit in perpetuating sex segregation in vocational training. A lifetime of socialization has convinced many women that some man will take care of them and that work will not be a major interest in their lives. But even so, those in charge of vocational training programs, for funding, administering, and staffing them, should be responsible for taking affirmative action that will counteract the effects of past sex bias in education and will equalize training opportunities for women, rather than to perpetuate stereotypes that do not fit with the economic realities of women's lives.

Women in College

Women were seldom admitted to institutions of higher learning until after the Civil War. In the years since then, the proportion of women attending college has increased markedly. In recent years, between 1950 and 1974, the proportion of women (sixteen to thirty-four years of age) attending college more than tripled, from 3.8 percent to 12.0 percent. While more men than women attended college, the male rate of increase was slower in this period, less than double, from 8.7 percent to 16.1 percent.[22]

The college enrollment of Alaska women has similarly increased. Table 10 shows that 5.4 times as many Alaska women fifteen to thirty-four years old had attended college in 1970 than in 1960, and that the proportion of college students who were women had increased from 22.4 percent to 38.9 percent in that decade.

Table 10. Years of College Completed for Persons 15 to 34 Years of Age by Sex, Alaska and United States 1960-1970.

	Alaska				United States			
	Female	Male	Total	Percent Female	Female	Male	Total	Percent Female
1960								
1-4 Years	392	1312	1704	23.0	991	1555	2546	38.9
5+ Years	23	122	145	15.9	66	323	389	17.0
Total	415	1434	1849	22.4	1057	1878	2935	36.0
1970								
1-4 Years	1744	2977	4721	36.9	2585	3457	6042	42.8
5+ Years	512	668	1180	43.4	267	657	924	28.9
Total	2256	3645	5801	38.9	2852	4114	6966	40.9
Ratio of Increase 1960-1970	5.4	2.5	3.1		2.7	2.2	2.4	

source: United States Bureau of Census, 1960 Census of Population, Detailed Characteristics, Alaska, Table 101; Detailed Characteristics, United States Summary, Table 168; 1970 Census of Population, Detailed Characteristics, Alaska, Table 146; Detailed Characteristics, United States Summary, Table197.

Since 1970, the proportion of women students at the University of Alaska has continued to increase. Table 11 presents enrollment figures for the first semester of each school year at the Fairbanks and Anchorage campuses (except for 1969 when figures were available only for the Anchorage campus). It shows that women's percentage of the student population increased from 41.9 in 1970 to 49.7 in 1975. The increase in the proportion of women students reflects both a consistent rise in the number of women students and a decrease in the number of male students in 1973 and 1974. The latter may reflect the loss of male students to pipeline jobs.

Table 11. College Enrollment by Sex, University of Alaska, Anchorage and Fairbanks Campuses, 1969-1975, First Semester of Each School Year.

	Female	Male	Percent Female
1969[a]	1544	2339	40.0
1970	2977	4123	41.9
1971	3877	5189	42.8
1972	4902	6346	43.6
1973	5476	5508	49.8
1974	5719	5489	51.0
1975	5796	5871	49.7

a. 1969 figures for the Anchorage Campus only.

source: Head Count, 1969-1975, University of Alaska, Anchorage Admissions Office; University of Alaska, Fairbanks, Admissions Office.

It should be noted that the proportion of women students is lower at the Fairbanks than Anchorage campus. This may reflect the fact that fewer women than men are graduate students, and Fairbanks has a larger proportion of graduate students than Anchorage (Table 12).

Table 12. Percent Female Students at Anchorage and Fairbanks Campuses, University of Alaska, 1970-1975.

	Anchorage Percent Female	Fairbanks Percent Female
1970	43.1	40.0
1971	44.2	39.9
1972	52.8	42.1
1973	52.1	42.9
1974	52.6	46.1
1975	50.5	46.6

source: Office of Director of Records and Admissions, University of Alaska, Fairbanks and Anchorage Campuses.

Alaska women differ from United States women in that a larger proportion have attended five or more years of college, 43.4 percent compared to 28.9 percent in the United States in 1970 (Table 10). This probably reflects the younger age of the Alaskan population and the fact that younger people tend to have higher levels of educational attainment than older people.

The growing proportion of Alaska women who are attending college does not mean an end to sex segregation in major fields of interest. Table 13 presents the proportion of women in major fields of study at the Fairbanks campus of the University of Alaska in the 1975-76 school year.

Table 13. College Majors by Sex, University of Alaska, Fairbanks Campus, Fall Semester, 1975-1976.

	Female	Male	Percent Female
Humanities [a]	163	112	59.3
Education	141	55	71.9
Management [b]	92	79	53.5
Social Sciences[c]	71	76	48.3
Physical Education	10	11	47.6
Math and Science [d]	22	49	31.0
Agriculture and Land Resource Management	14	34	29.2
Environmental Science	115	284	28.8
Police Administration	4	17	19.0
Engineering [e]	11	152	6.7
Undeclared Majors	495	430	53.5
Total	1138	1299	46.7

a. Includes arts, English, journalism, liberal arts, linguistics and foreign languages, Eskimo languages, music, philosophy, theater, speech, history, geography, home economics, early childhood development, and northern studies.

b. includes accounting, business administration, computer information systems, office administration.

c. includes political science, psychology, sociology, anthropology, and economics.

e. includes general engineering and mineral engineering.

As expected, females predominate in the traditionally female fields of humanities and education. They represent nearly half of the student population in physical education. The concentration of women in educational fields at a time when the demand for teachers is at an all time low appears to bode ill for these women's occupational futures.

Women also represent over half of students in management which includes office and business administration, accounting, and computer information systems. Unlike education, there is a growing demand for management experts and technicians in Alaska and elsewhere.

In addition to management, women appear to be breaking into another traditionally male field, social science, for which jobs in Alaska are relatively scarce and top jobs usually require a doctor's degree.

In the rest of the traditionally male fields, women represent a small percent, less than a third. In engineering, the fastest growing field in the country, women represent only 6.7 percent.

The tendency of women students to aspire to the traditionally female majors of humanities and education persists at the college level, and is even greater for college than college bound high school students in Alaska, if we assume that the two groups are comparable. Table 14 shows that 1.6 times as many female college students as female college bound high school students declared these two majors. The one traditionally male area which appears to attract a larger proportion of college than high school women is environmental science, but this finding may reflect the noncomparability of the two categories compared--biological science at the high school level with environmental science at the college level. In any event, college women show an even stronger tendency than college bound high school girls to select traditionally female fields of study.

Table 14. Choices of Selected College Major by 10th to 12th Grade College Bound Females and University of Alaska, Fairbanks Campus Females, 1975-1976.

	High School Students N=495 Female Percent	College Students N=652 Female Percent
Humanities	15.5	26.2
Education	13.9	21.6
Social Sciences	11.9	10.9
Environmental Science	6.3	17.8
Agriculture and Land Resource Management	3.6	2.1
Math and Science	2.2	3.4
Engineering	1.4	1.7
Other	45.0	16.3

source: Intended Area of Study, First Choice, 10th to 12th Grade Students, 1975-1976 Scholastic Aptitude Test Report for Alaska Students; Office of Director of Admissions and Records, University of Alaska, Fairbanks, November, 1975.

Thus we see that sex segregation in occupational aspirations and major fields of interest persist at every level in women's education--in high school, vocational training, and college. This sex segregation operates to keep women in the lower status, lower paying occupations. Unless this pattern of educational segregation changes, women's inequality in employment and income will persist.

Sex Discrimination in Education Employment

Title IX of the Education Amendments of 1972 prohibits sex discrimination in employment in educational institutions receiving federal funds. Title VII of the Civil Rights Act of 1964 (as amended by the Equal Employment Opportunity Act of 1972) prohibits discrimination on the basis of sex in any term, condition or privilege of employment in all public or private education institutions with fifteen or more employees. The Equal Pay Act of 1963, guaranteeing equal pay for equal work regardless of sex, was amended in 1972 to extend coverage to professional workers. Prior to 1972, the federal government mandated the development of written affirmative action plans in institutions with federal contracts of $50,000 or more, or employment of fifty or more persons (Executive Order No. 11246); other smaller institutions are not required to have written affirmative action plans but are required to move to eliminate sex and race discrimination. State law also prohibits sex discrimination. Section 18.80.255 of the Human Rights law declares it unlawful for the state or any of its political subdivisions to refuse, withhold from or deny any local, state or federal funds, services, goods, facilities, advantages or privileges because of race, religion, sex, color, or national origin.

Elementary and Secondary Schools

Despite this impressive package of legislation, women are still discriminated against in employment in educational institutions. In the nation in 1970, 85 percent of elementary school teachers were women, yet 79 percent of all elementary school principals were men.[23] In Alaska in 1976, 62.5 percent of all elementary and secondary school teachers were female, yet women comprised only 20.3 percent of head teachers, 10.6 percent of principals, and 1.5 percent of superintendents (Table 15).

Table 15. Distribution by Sex of Superintendents, Principals, Head Teachers, and Teachers at Elementary and Secondary Level, State of Alaska, 1976-1977.

	Female	Male	Percent Female
Superintendents and Asst. Superintendents	1	66	1.5
Principals and Asst. Principals	24	202	10.6
Head Teachers	23	90	20.4
Teachers	1602	2667	37.5

source: Alaska Department of Education, Mini-Directory, 1976; Jim Nelson, Systems Analyst, Alaska Department of Education; W. Blessington, Anchorage School District, Anchorage.

The higher the status of the professional, the smaller the female proportion. The same low proportion of women characterizes administration in the Alaska State Department of Education. Only two of ten executive administrators and six of sixteen program directors/coordinators are women.[24]

Concentrated at the lower levels of professional employment in educational institutions, women's pay is obviously less than men's, but even when employed at the same level, women earn less than men. Table 16 shows that while male and female teachers' mean annual salaries are relatively equal, male assistant principals earn on the average 1.5 times more than female assistant principals, and male superintendents earn an average salary twice as high as female superintendents.

Table 16. Mean Annual Salaries of Professional Employees Elementary and Secondary Schools, (excluding Anchorage), Alaska, 1976-1977.

Category	Mean Annual Salary	
	Female	Male
Superintendent	$18,931	$37,605
Asst. Superintendent	-----------	37,074
Principals	28,344	31,904
Asst. Principals	19,597	29,139
Head Teacher	22,805	23,118
Teachers	20,390	20,490

* Annual salaries were computed on the basis of 100 percent time except for those listed as working more than 100 percent of the time.
Figures for Anchorage were not available.

source: Jim Nelson, Systems Analyst, Alaska Department of Education.

College and University Level

At the college level in Alaska, there is also inequality between the sexes in faculty rank. A brief charging sex discrimination against the University of Alaska, Fairbanks, presented evidence based on University personnel records which contended that males without doctorates are more likely than females without doctorates to hold academic rank (assistant, associate, or full professor). Of 222 faculty members who held academic rank without having a doctorate 155 or 70 percent are males.[25]

Overall, female faculty members tend to be concentrated in the lower ranking positions, and male faculty in the higher ranks (Table 17).

Table 17. Percentage Distribution of Male and Female Faculty, University of Alaska, Fairbanks, 1976.

	Female	Percent	Male	Percent
Lecturers - Instructors	14	30.4	15	6.3
Assistant Professor	17	37.0	61	25.7
Associate Professor	11	23.9	84	35.4
Professor	4	8.7	77	32.5
Total	46		237	

source: The main source for these figures is the University of Alaska Statewide System Directory, 1976. This source dod not give rank of some faculty, for example, Institute Directors. These ranks were determined from the University of Alaska Catalogue, 1975-1976.

In the 1975-76 school year (Fairbanks campus), well over two thirds (67.4 percent) of women were in the two lowest faculty categories--instructors-lecturers and assistant professor--while only 32 percent of men were at these levels. By contrast, 32.5 percent of male faculty were full professors compared to only 8.7 percent of women. One reason for this inequity in faculty rank probably stems from female faculty having less experience than male faculty. They may start their careers later than men, and often fall prey to the "last-hired, first-fired" policy. But differences in experience do not fully account for the inequity in faculty rank. Personnel information from the Fairbanks campus, presented in the above cited brief[26] shows that female faculty members remain at one rank longer than male faculty members (except at the instructor level). Table 18 shows that male professors in 1975 were promoted from assistant to associate professor after four years while female professors waited six years. Similarly, male professors waited on the average 4.5 years for promotion from associate to full professor compared to 6.3 years for female faculty.

Table 18. Number of Years for Faculty Promotions, Universty of Alaska, Fairbanks Campus.

	Persons who were Professors in 1975		All Instructional Faculty in 1975	
	Female	Male	Female	Male
Years as Instructor before promotion to Assistant Professor	-------	-------	3.4	3.6
Years as Assistant Professor before promotion to Associate Professor	6.5	4.0	4.4	5.0
Years as Associate Professorbefore promotion to full Professor	6.3	4.5	-----	------

source: University of Alaska Catalogs, 1955-1975; Professional Information Manual, University of Alaska.

RECOMMENDATIONS

Sex Bias in Curriculum Materials

From kindergarten through college, students are exposed to text books that reinforce the notion that men do the important work of the society and women do the less important work. If girls are to be adequately prepared for the reality that they will probably work for a large part of their lives, then eliminating curriculum materials which deny this reality is necessary. The State Legislature should appoint a commission to work with all school districts to eliminate sex biased curriculum materials and should provide additional funds to the Alaska Commission for Human Rights to implement Section 18.80.255 of the Human Rights law concerning discriminatory practices by the state or its political subdivisions.

Sex Inequality in Athletic Programs

Girls participate much less frequently than boys in high school athletic programs. The only athletic activities in which female participation rates are higher than male are traditionally feminine sports such as volleyball and swimming. A striking inequity exists in expenditures for girls' and boys' sports. Total expenditures for sports for Alaska male high school students is 283 times more than the total expenditure for sports for Alaska female high school students. And the average cost per male student is 73 percent higher than the average cost per female student. Furthermore, average salaries for coaches for male sports are considerably higher than for coaches of female sports. While girls may demand sports programs less frequently than boys, the relatively low funding for girls' athletic programs may itself act as a deterrent to participation. The State Legislature should direct the Alaska Department of Education to work with all school districts to insure equal athletic opportunities for boys and girls at the elementary and secondary levels.

Sex Bias in School and Employment Counseling

The evidence at hand suggests a strong sex bias in career counseling--at the high school and college levels as well as in vocational training programs. Since guidance counselors can critically influence students' occupational choices, it is important for them to be sensitive to and knowledgeable about the reality that most women work for a large part of their lives, and that equal educational and occupational opportunities rest in part on overcoming past sex bias in education. The State Legislature should provide funds for a systematic study on sex bias in educational counseling as a basis for training programs and in-service training for all educational professionals who have advisory or counseling responsibilities in local educational agencies and in colleges or universities. The State Legislature should direct the Alaska Department of Education and Alaska Department of Labor to monitor and evaluate sex bias in vocational training programs for which they are responsible.

Sex Discrimination in Education Employment

Sex discrimination in education employment appears to be marked in Alaska. At the primary and secondary levels, while the majority of teachers are women, the overwhelming majority of principals and superintendents are men. When women do achieve high positions in education employment, they tend to earn less than men at the same rank. At the college level, inequality between the sexes appears in faculty rank. Female faculty members tend to remain at the same rank longer than male faculty members and thus are discriminated against in promotional opportunities.

In recognition of this and other types of education discrimination, the federal government has enacted legislation (Title IX of the Education Amendments of 1972) to develop affirmative action plans to overcome the discrimination. We propose that the Alaska Legislature enact a state Title IX law 1) to commit Alaska to the affirmative action goals the federal government has developed and 2) to enable the state to withhold state funds if non-compliance is found.

Footnotes

1. Education Commission of the States. Equal Rights for Women in Education. Report No. 77. Denver, 1976, pp. 38-39.

2. Marlaina Kiner, Office for Civil Rights, Region X to Marshall Lind, Alaska Commissioner of Education, September 1, 1976.

3. Lenore J. Weitzman and Diane Rizzo, Biased Textbooks: Images of Males and Females in Five Subject Areas, Resource Center on Sex Roles in Education, National Education Association, 1974.

4. Ibid.

5. Equal Rights for Women in Education, p. 65.

6. Bill Horr, "Introductory Psychology Texts: Sexual Bias in Graphic and Photographic Illustrations," Term Paper, Sociology 493, University of Alaska, Anchorage, December, 1976.

7. Equal Rights for Women in Education, pp. 11-12.

8. Ibid., p. 12.

9. Judy Franklet, "A Survey of Interscholastic Activities of Secondary Schools in Alaska (District and State Operated Schools)," Term Paper, Education 697, University of Alaska, Auke Bay, January, 1976.

10. Diane Frank, "Occupational Choices of Youth," Term Paper, Sociology 493, University of Alaska, Anchorage, December, 1976.

11. Judith A. Lewis. "Counselors and Women Finding Each Other," The Personnel and Guidance Journal, October, 1972, pp. 147-150.

12. Sue Merritt, head of Sex Equality in Guidance Opportunities program, Anchorage School District, personal communication, December 30, 1976.

13. Amy Bollenbach and Rena Mulcahy,"Obstacles Facing the Mature Woman in Career Development," Term Paper, Education/Psychology 632, University of Alaska, Anchorage, 1975, p. 45.

14. Ibid., p. 46.

15. Ibid.

16. T. Jean Wirtenberg and Charles Y. Nakamura, "Education: Barrier or Boon to Changing Occupational Roles of Women," Journal of Social Issues, Vol. 32, No. 3, 1976; 165-180.

17. Diane Frank, "Occupational Choices of Youth."

18. United States Census of Population, Detailed Characteristics, Alaska, Table 149, p. 3-234.

19. Dan Dollarhide, "Women in Non-Traditional Roles and How Its Changing," Term Paper, Sociology 493, University of Alaska, Anchorage, December, 1976.

20. Sanna Green, Counselor, Bartlett High School, Anchorage, personal communication, November 16, 1976.

21. Lynne Woods, Human Relations Officer, Anchorage School District, personal communication, December 28, 1976.

22. U.s. Department of Commerce, Bureau of Census. A Statistical Portrait of Women in the U.S., Current Population Reports, Special Studies Series P-23, No. 58, 1976, Table 6.2, p. 24.

23. National Education Association, Research Division, Professional Women in Public Schools--1970-71, Research Bulletin, October, 1971.

24. Alaska Department of Education, Minidirectory, February, 1976.

25. Professional Personnel Information Manual, University of Alaska, cited in Duncan, Helms, San Chez, Slotnick case brief prepared by Peter J. Aschenbrenner, Attorney, Fairbanks.

26. Ibid.

27. Niel Thomas, Director, Alaska Commission for Human Rights, December 23, 1976.

WOMEN AND EMPLOYMENT

Marsha E. Bennett

This chapter explores trends in labor force participation, employment, occupational distribution and income for women in Alaska since 1960. While women's participation in the labor force has increased steadily since 1960, the relative position of women in income and occupational distribution has not changed significantly over the period. The income of continuously working women is still one-half that of men, regardless of occupation or continuous work experience. Occupational segregation does not appear to have diminished, except perhaps briefly on the trans-Alaska pipeline. An increasingly serious problem with women is poverty, especially among female-headed households.

The following topics are among those discussed in this chapter:

- The increasing labor force participation of women in Alaska and in the United States;
- Increases in participation especially by younger women and by married women with small children;
- Special needs of women in the labor force--in particular, part-time work and day care;
- The inferior position of women in the hierarchy of state and federal government in Alaska;
- The subordinate position of women in the professions and women's declining share of management positions;
- Some important but possibly short-lived breakthroughs in blue collar employment on the trans-Alaska pipeline;
- The substantial sex gap in median earnings of women and men and the concentration of women in low-paying jobs; and
- The growing problem of poverty among women, especially female household heads.

The sources of data for these topics are:

- 1960 and 1970 Census of the Population for the United States and Alaska;
- Alaska planning documents, employment and training documents, and statistical publications from the Alaska Department of Labor and the Manpower Reports to the President of the United States;
- Equal Employment Opportunity Commission summary statistics for the state of Alaska by occupation from 1970 through 1975;
- Special recent publications on the status of women, especially by the U.S. Census Bureau and the National Commission on the Observance of International Women's Year;
- Interviews with day care experts, Equal Employment Opportunity and personnel officers of various organizations, and women filing sex discrimination cases in Alaska;
- Equal Employment Opportunity reports by the Alaska State Government, the Alaska Court System, the U.S. Army and U.S. Air Force in Alaska (civilian employees), Alyeska Pipeline Service Company, the Alaska Department of Education and a number of hospital and medical facilities state wide;
- Special tabulations from surveys in Anchorage and Fairbanks conducted in 1975 and 1976;
- A special survey of housewives conducted in Fairbanks and Anchorage especially for the study;
- Special tabulations of poverty statistics from the Anchorage 1975 survey and the Fairbanks Impact Information Center; and
- A special sampling of cases from the Child Support Enforcement Agency.

Labor Force Participation

Between 1950 and 1975, the number of women in the United States labor force, that is, those women employed or actively seeking a job, nearly doubled. Encouraged by greater educational attainment and supported by new laws forbidding sex discrimination in employment, more women are entering and remaining active in the labor force. Other factors, too, have promoted the increase in labor force participation among women in the United States. Since the early 1960's, millions of American women have assumed control over their reproductive lives. Widespread use of "the pill" and other contraceptives and increasing access to abortion has permitted effective control over pregnancy and childbearing and brought about a declining average family size.[1] The number of women choosing to remain single or choosing to prolong their single years has increased sharply. Divorce and separation have grown more common, while rates of remarriage have dropped.[2] The dramatic increase in the number of working women who are self-supporting or heads of households has been augmented by married women who work to supplement the insufficient or precarious earnings of their husbands. Yet in spite of the fact that most women work because they need to work, their commitment to labor force participation also clearly reflects the desire of more and more American women to be independent, to shape a satisfying career for themselves and to contribute to the nation's economy as producers as well as consumers.

Changes in Alaska's Labor Force

Our analysis in this report will concentrate on the period in Alaska from 1960 to the present. Recently published national studies[3] take a longer view of the change in female labor force participation, considering the 1950-75 time period. Over this twenty-five year span, the increasing participation of women in active employment and job-seeking has been of historical proportions, signaling a major shift in lifestyles for both women and men in the United States. Changes in Alaska during the period from 1960-76, though less dramatic, echo the same basic shifts occurring in the United States as a whole.

Table 1 shows the labor force participation rates of United States and Alaskan women in 1960 and 1970, with a projection of the rate of female labor force participation in the United States to 1990.

Table 1. Labor Force Participation Rates of Women in the United States from 1960 to 1970 and Projected for 1990. Labor Force Participation Rates of Women in Alaska, 1960 and 1970.

	1960 percent*	1970 percent*	percent change	1990 projected percent
Female Population of the U.S., 16 and over	37.8	43.4	15.0	46.5
Female Population of Alaska, 16 and over	39.6	46.2	17.0	N/A

*Percent of the female working age population, 16 years and older

Source: U.S. Department of Commerce, Bureau of the Census, *Detailed Characteristics, Alaska, 1960*, Table 116, pp. 3-163; *Detailed Characteristics, Alaska, 1970*, Table 164, p. 268; and U.S. Department of Labor, Manpower Administration, *1975 Manpower Report of the President*, Table 1, p. 57.

Between 1960 and 1970 in Alaska, women's participation in the labor force increased 17 percent, closely approximating the 15 percent increase in the United States during this period. Alaskan women had surpassed the rate of labor force participation of women in the United States as a whole in 1960, when nearly 40 percent of Alaska's adult women were members of the labor force, compared to 38 percent in the nation as a whole. By 1970, 46.2 percent of Alaskan women sixteen years and older were part of the labor force, a rate of participation not predicted for the United States until 1990.

Age. Younger women in the United States have shown some of the greatest increases in labor force participation since 1960. This is also true in Alaska (Table 2).

Table 2. Female Labor Force Participation by Age, Alaska and the United States, 1960 and 1970 (Female Population 16 years and older)

	ALASKA			UNITED STATES		
	1970	1960[a]		1970	1960	
AGE	percent*	percent*	percent change	percent*	percent*	percent change
16-17	24.7	20.6	19.8	34.9	29.1	19.9
18-19	44.1	46.2	4.5	53.7	51.1	5.1
20-24	53.8	37.7	42.7	57.8	46.2	25.1
25-34	44.6	36.5	22.2	45.0	36.0	25.0
35-44	48.8	44.6	9.4	51.1	43.5	17.5
45-54	51.7	52.6	1.7	54.4	49.8	9.2
55-64	49.0	44.6	9.9	43.0	37.2	15.6
65+	18.5	14.9	24.2	9.7	10.8	10.2
All ages	46.2	39.6	16.7	43.4	37.8	14.8

*Percent of female working age population in each age group in the labor force

[a] 1960 Alaska total for all ages and for 16-17 year olds includes 14-15 year olds.

Source: U.S. Department of Commerce, Bureau of the Census, *Detailed Characteristics, Alaska, 1970*, PC(1)D3, Table 164, pp. 3-268; *Detailed Characteristics, Alaska, 1960*, PC(1), part 3, Table 116, pp. 3-163; U.S. Department of Labor, Manpower Administration, *1975 Manpower Report of the President*, Table 1, p. 57.

But when we compare Alaskan and United States women in their rates of labor force participation by age, we see that by 1970 American women as a whole were more active in the labor force at younger ages than were Alaskan women. Although in 1960 the participation rates of Alaskan women above age twenty-five were slightly higher than those of American women as a whole, by 1970 Alaskan women led United States women in only the two oldest age groups. Nevertheless, Alaska achieves a greater level of over-all labor force participation than the United States as a whole because the preponderance of younger women in Alaska weights the rate of total participation in favor of their relatively high participation rates while the presence of a higher percentage of older women in the United States population causes its total to lean toward their lower rates of participation.

Marriage and Children. In addition to their age, women's marital status and number of children traditionally have been crucial determinants of their labor force participation. But this critical influence of marriage and children has diminished in the last fifteen years, reflecting a fundamental change in the behavior of women. With smaller families and fewer years spent in early childrearing, more and more women are choosing to enter the labor force.

Between 1950 and 1975, the participation of American married women in the labor force increased 87 percent. Over the shorter period of 1960-70 in Alaska, labor force participation of married women increased by 20 percent to 44 percent of all married women (Table 3).

Table 3. Female Labor Force Participation by Marital Status, United States and Alaska, 1960 and 1970

	ALASKA			UNITED STATES		
Marital Status	1970 percent*	1960 percent*	percent change	1970 percent*	1960 percent*	percent change
Total	46.2	39.6	17.0	41.4	34.5	20.0
Single	49.3	45.2	9.1	50.7	42.9	18.2
Married, Spouse Present	43.8	36.5	20.0	39.2	30.7	27.7
Married, Spouse Absent	48.5	49.9	2.8	50.2	48.4	3.7
Widowed	39.3	38.9	1.0	26.4	28.0	5.7
Divorced	79.8	80.4	.7	69.5	70.8	1.8

*Percent of the female working age population in the labor force

Source: U.S. Department of Commerce, Bureau of the Census, Detailed Characteristics, Alaska, 1970, PC(1)-D3, Table 165, and U.S. Summary, Section 2, Part 1, Table 216, pp. 1-688.
U.S. Department of Commerce, Bureau of the Census, Detailed Characteristics, Alaska, 1960, PC(1)-D3, Table 116, and U.S. Summary, Part 1, Volume 1, Table 195, pp. 1-499.

If 44 percent of all married women in Alaska were part of the labor force in 1970, it is not surprising that even larger percentages of married women without children and of those with children over six were members of the labor force and that these two groups comprise the majority of married working women. In 1970, 58 percent of married women with no children under the age of eighteen were working or looking for work; 51 percent of those married women with children between the ages of six and seventeen were active in the labor force. Married women with small children at home constituted the smallest proportion of married women working. Only 30 percent of the women in this group participated in Alaska's 1970 labor force. National studies have indicated, however, that the rate of labor force participation in this group has increased rapidly since 1960. In Alaska, the number of labor force participants in this group showed a 44 percent increase between 1960 and 1970.[4]

Divorced women in both Alaska and the United States have by far the highest labor force participation rates of any group of women. These figures demonstrate the strong influence of economic necessity, discussed more fully in Section 3 of this chapter. In Alaska, 80 percent of divorced women were participating in the labor force in both 1960 and 1970 (see Table 3). This degree of labor force participation is somewhat greater than in the United States as a whole, probably reflecting the higher cost of living in Alaska. Women separated from their husbands are more likely to be members of the labor force than are other married women, but their participation is considerably less than that of divorced women. In the United States, single women's labor force participation increased 18 percent from 1960 to 1970; in Alaska, while almost 50 percent of single women in 1970 did work or actively seek work, the change over the ten-year period was less marked.

Part-Time Work

In both Alaska and the United States, women are more likely than men to be part-time workers (Tables 4 & 5).

Table 4. Employment Status by Sex and Age, Alaska and United States, 1970

	ALASKA				UNITED STATES			
	Female		Male		Female		Male	
	number	percent	number	percent	number	percent	number	percent
Total Population (16 years +)	83,850		107,277		73,851,760		67,235,510	
Total Civilian Labor Force (16 years +)	38,003		60,293		30,501,807		49,549,239	
Total Employed	35,122	100.0	54,114	100.0	28,929,845	100.0	47,623,754	100.0
Full Time	24,083	68.5	44,136	81.6	19,248,133	66.5	39,758,409	83.5
Part Time	10,031	28.6	8,091	15.0	8,609,883	29.8	6,614,015	13.9
Employed, not at work	1,008	2.9	1,887	3.5	1,071,829	3.7	1,251,330	2.6
Total Unemployed	2,881		6,179		1,571,962		1,925,485	
Percent Civilian Labor Force (Unemployment Rate)		7.6		10.2		5.2		3.9

Source: U.S. Department of Commerce, Bureau of the Census, Detailed Characteristics, Alaska, 1970, PC(1)-D3, Table 164, pp. 3-268. U.S. Department of Commerce, Bureau of the Census, U.S. Summary: Characteristics of the Population, Table 215, pp. 1-679.

Table 5. Part Time Employment by Sex and Age - 1970 - Alaska and the United States (Population 16 years of age and older).

	Alaska			United States		
	Female	Male	Ratio F/M	Female	Male	Ratio F/M
Total Part-time Employment	10,031	8,091	1.24	8,609,883	6,614,015	1.30
16-19 years	1,563	1,778	.88	1,287,506	1,747,888	.74
20-24 years	1,568	969	1.62	1,058,742	1,011,480	1.05
25-29 years	1,478	926	1.60	746,729	540,958	1.38
30-34 years	1,217	706	1.72	733,452	387,707	1.89
35-39 years	1,106	774	1.43	794,636	357,883	2.22
40-44 years	946	797	1.19	876,895	373,088	2.35
45-49 years	796	578	1.38	837,193	379,981	2.20
50-54 years	552	577	.96	723,283	369,641	1.96
55-59 years	394	475	.83	596,009	361,700	1.65
60-64 years	220	252	.87	461,217	360,220	1.28

Source: U.S. Department of Commerce, Bureau of the Census, *Detailed Characteristics, Alaska*, PC(1)-D3, 1970, Table 164, p. 3-268. U.S. Department of Commerce, Bureau of the Census, *U.S. Summary: Characteristics of the Population*, Table 215, p. 1-679.

In Alaska in 1970, 29 percent of employed women held part-time jobs, compared to only 15 percent of the employed men. As Table 5 shows, most of the difference in part-time employment occurs for women in the child-bearing and child-rearing years. While relatively little difference exists in Alaska between men and women under twenty and over fifty in part-time work, women aged twenty to forty-nine are much more often employed part-time than men in that age range. The difference in Alaska is most notable among those aged twenty to thirty-four. While in the United States twice as many women aged thirty-five to forty-nine work part-time as men of that age, the variation between women and men aged thirty-five to forty-nine in their part-time employment is not as divergent in Alaska.

Current Estimates of Female Labor Force Participation

A number of obstacles are encountered in the attempt to update 1970 estimates of female employment and labor force participation. The Alaska Department of Labor does not publish labor force and employment data by sex and lacked the time and funds to perform these special tabulations. An alternative was to use the Institute of Social and Economic Research's Man-in-the-Arctic Program model projections of population by sex and age, but these age and sex ratios are based on 1970 Census ratios which undoubtedly have changed with the heavy immigration and increased labor force participation by women in the last seven years. The Alaska Annual Planning Report contains FY-77 estimates of labor force participation, but these estimates are based on the Bureau of the Census' Current Population Survey, Region 20, which includes Washington, Oregon, and Hawaii in addition to Alaska and in which Alaska constitutes a minor proportion.

We have chosen instead to use the total employment figures for Alaska for 1970 through 1975 from the Equal Employment Opportunity Commission, based on employer reports filed in compliance with Title VII of the 1964 Civil Rights Act, as amended in 1965 and 1972. These EEO-1 reports are required by law to be filed by employers of one hundred or more employees on an annual basis.[5]

Table 6. Total Employed and Percent Female of Employees of Major Alaska Firms Filing Equal Employment Opportunity Reports with the United States Equal Employment Opportunity Commission, 1970-75, compared with Alaska Department of Labor Estimates of Total Employment, 1970-75.

Year	EEOC Total Employed	Female Percent	DOL Total Employed	% EEOC of DOL Total*
1975	24,255	29.2	165,454	14.7
1974	19,404	37.2	133,997	14.5
1973	18,648	39.1	115,649	16.1
1972	18,868	34.8	109,986	17.2
1971	14,807	31.6	103,780	14.3
1970	13,576	28.5	98,513	13.8

*Percent Equal Employment Opportunity Commission sample comprises of total Department of Labor employment.

Source: U.S. Equal Employment Opportunity Commission, EEO-1, Report Statewide Summaries, 1970-75, and Alaska Department of Labor, Alaska Annual Planning Report 1976, Table 4, pp. 10-11.

While it is clear from Table 6 that the Equal Employment Opportunity Commission's total employment figures include at most 17 percent of total Alaska employment as estimated by the Alaska Department of Labor, this sample size is sufficient to suggest certain trends in female labor force participation. The fact that only employers of one hundred or more employees are required to file EEO-1 reports, however, biases this sample in favor of larger firms. Women are most often employed in clerical, service, and low-status professional occupations; at least one of these occupational categories would tend to be underrepresented by the EEO-1 data based on large employers--namely, the service occupations. This bias would be especially serious for minority women, since 1960 and 1970 Census figures show that Native women in particular are heavily concentrated in service work.

Taking into account these possible biases, the Equal Employment Opportunity Commission data indicate that female participation in statewide employment has declined in 1975 from peak levels of nearly 40 percent in 1973 and 1974. Table 7 shows total white collar and total blue collar employment by year from 1970 through 1975.

Table 7. Total White Collar and Total Blue Collar* Employment and Percent Female of Major Alaska Firms Filing Equal Employment Opportunity Reports with the United States Equal Employment Opportunity Commission, 1970-75.

	White Collar Employment		Blue Collar Employment	
Year	Total Number	Female Percent	Total Number	Female Percent
1975	16,022	48.0	15,830	7.4
1974	9,730	52.2	7,751	14.1
1973	11,147	49.2	5,275	12.4
1972	10,646	48.2	5,961	7.0
1971	8,580	44.3	4,749	6.1
1970	6,739	43.5	5,363	6.4

*White collar occupations include officials and managers, professionals, clerical, technical and sales work. Blue collar occupations include crafts, operatives such as machine operators, drivers, plant workers and private household workers.

Source: United States Equal Employment Opportunity Commission, EEO-1 Report Statewide Summaries, 1970-75.

Total female participation in white collar occupations did show a slight increase in 1974, followed by a return to former levels of employment in 1975; blue collar totals show a distinct doubling of the proportion of women in blue collar employment for the years 1973 and 1974 and a subsequent decline to the original level, namely 7 percent of all blue collar employment. These proportional changes took place while the absolute number of blue collar workers over the 1970-75 period nearly tripled.

If we consider the Equal Employment Opportunity Commission summary by occupation found in Table 8, it shows that the percentage of women in the operatives category was especially high during 1973 and 1974 then dropped off sharply in 1975. The female share of the laborers occupational category also declined abruptly.

Table 8. Alaska Statewide Summary of Employment by Sex and Occupation from the United States Equal Employment Opportunity Commission, 1970-75.

	1970[a] %	1971[b] %	1972[c] %	1973[d] %	1974[e] %	1975[f] %
Total Employment						
Female	28.5	31.6	34.8	39.1	37.2	29.2
Male	71.5	68.4	65.2	60.9	62.8	70.8
Total White Collar						
Female	43.5	44.3	48.2	49.2	52.2	48.0
Male	56.5	55.7	51.8	50.8	47.8	52.0
Officials & Managers						
Female	12.4	13.5	13.4	16.6	16.3	14.2
Male	87.6	86.5	86.6	83.4	83.7	85.8
Professionals						
Female	24.7	29.5	29.3	31.8	33.8	21.2
Male	75.2	70.5	70.7	68.2	66.2	78.8
Technicians						
Female	16.2	14.1	20.4	18.5	22.7	19.1
Male	83.8	85.9	79.6	81.5	77.3	80.9
Sales Workers						
Female	51.9	60.5	55.8	56.4	56.5	57.7
Male	48.1	39.5	44.2	43.5	43.5	42.3
Office, Clerical						
Female	80.0	82.1	84.9	84.7	85.9	85.7
Male	20.0	17.9	15.1	15.3	14.1	14.3
Total Blue Collar						
Female	6.4	6.1	7.0	12.4	14.1	7.4
Male	93.6	93.9	93.0	87.6	85.9	92.6
Craft Workers						
Female	1.5	1.9	2.2	3.1	2.0	1.9
Male	98.5	98.1	97.8	96.9	98.0	98.1
Operatives						
Female	5.3	9.7	8.9	18.6	18.3	7.0
Male	94.7	90.3	91.0	81.4	81.7	93.0
Laborers						
Female	15.1	9.1	11.3	20.2	25.5	17.7
Male	84.9	90.9	88.7	79.8	74.5	82.3
Service Workers						
Female	40.8	40.0	45.2	51.7	55.1	47.4
Male	59.2	59.9	54.8	48.3	44.9	52.6

* [a] 117 units
[b] 121 units
[c] 161 units
[d] 157 units
[e] 173 units, 106 employers
[f] 233 units, 141 employers

*a-f refers to the number of employment units or employers included in the summary for each year.

Source: United States Equal Employment Opportunity Commission, EEO-1 Report Summaries, 1970-75 for Alaska.

These indicators suggest a pattern characteristic of minority employment opportunity--groups of people subject to employment discrimination often find that they are the last hired when new employment opportunities arise and the first fired when the market begins to slow. The Equal Employment Opportunity Commission data indicate that while total female employment has continued to rise over the five-year period, the female share of total employment may have declined in 1975. As the pipeline approached completion and pipeline work opportunities began to slow down, it is quite possible that women in the crafts and other blue collar positions were the first to be laid off. Alternatively, it is possible that as fewer new jobs were channeled through union hiring halls, fewer women were made aware of these opportunities.

Alaska is now in a period of transition[6] following several years of peak employment. Both the Alyeska Pipeline Project and state government spending, among other factors, have contributed substantially to these years of economic expansion. Yet we find that the female share of blue collar employment, as measured by the percentage of total blue collar employment in the Equal Employment Opportunity Commission statewide summaries, began to decline in 1975. Although we do not have the data to continue this trend analysis, the Equal Employment Opportunity Commission data suggest that the female share of blue collar employment started to decline before completion of the pipeline project. We have also noted (Table , Section 2) that the female share of state government employment declined between 1974 and 1976. The Equal Employment Opportunity Commission data suggest that the female share of total white collar employment also dropped slightly in 1975.

The decline in the female share of employment in Alaska's major firms suggests several problems. First, if women have been the first fired from the pipeline project, or are experiencing more severe discrimination in union hiring for fewer new jobs, then the problem of female blue collar unemployment may become more serious in this period of transition.[7] Although there may be a tendency to assume that women who have worked on the pipeline will easily fit themselves back into traditionally female jobs with traditionally low wages, these assumptions do not fit the women we have met who have experienced pipeline work and wages. Finally, if women are experiencing a period of lower employment opportunity at the same time that clerical, service and low-status professional opportunities are rising, as has been projected for the next ten years,[8] then we can expect women's median income levels to continue to decline relative to total median income (see Section 3 of this chapter).

Special Problems of Women in the Labor Force

Women experience a number of distinct employment-related problems not so frequently experienced by men. Many of these problems restrict the labor force participation of women or reduce their effective performance on the job, if unresolved. Married women in particular may experience a number of difficulties. First, as subordinate members of most family structures, married women typically find that their jobs and work locations must depend upon their husbands' work locations and levels of job responsibility. While single women, like married men, can often respond to promotional opportunities in other locations, married women are less often able to take advantage of these opportunities. On the other hand, as Alaska's population continues to concentrate in a few population centers, the possibility of dual careers for wives and husbands in these centers is improved.

Second, most married men and women have been socialized to accept the wife's role as complementary to her husband's. This socialization often implies that a wife's major responsibility is to the home and therefore that her choice of job outside the home should involve a lower level of effort which will permit continued focus on her home responsibilities. While national studies indicate that many younger couples and some professional couples are sharing both home and work responsibilities on a more egalitarian basis, we cannot assess the extent to which these newer patterns of equality have spread in Alaska without further research.

A number of articles have recently appeared in home economics journals attempting to compute the economic contribution of housewives to their families and to the economy. One such study, conducted at Cornell University by Dr. Katherine Walker, has estimated that for a typical family of four consisting of a mother, father, and two small children, both parents together contribute the equivalent of $8,800 in household work (in 1967 dollars) to maintain the family. Of this, the equivalent of $7,600 is contributed by the mother and the equivalent of the other $1,200 by the father if the woman does not work. If she works, her contribution is reduced to the equivalent of $6,200 but the husband's contribution only rises $100 (to $1,300). Based on extensive interviews with 1,400 families in New York State, Walker estimates that the average working woman works a sixty-six to seventy-five hour week combining work and housework.[9] A number of other recent studies of working women[10] make a similar point: whether a woman works or not, she still must come home to wash clothes, do dishes, cook meals and clean house as well as care for children, shop, arrange for household repairs and otherwise maintain the home.[11] While many women have the energy and determination to endure a seventy-five hour work week, it is not surprising that many women do not feel they can maintain this pace. But without more options for part-time work, their potential contribution outside the home cannot be realized and their contribution to the household as housewives is rarely recognized.

The Need for Part-time Work. Since most married women still are responsible for the bulk of the housework and child care, they often cannot work full time. In a special survey of housewives conducted by students in classes at the University of Alaska in both Anchorage and Fairbanks, we found that 75 percent of these homemakers preferred part-time to full-time work. Although our sample of housewives is small (125 respondents) and was not randomly selected, the issue of part-time work is one which has been raised by many other Alaskan men and women in the process of our research, as well as in national studies.[12]

In addition to those who need part-time work because their home responsibilities are too great to permit full-time work outside the home, a second group of women also benefit from part-time work. For these women, part-time work is the first step back from several years in the home. This second group might be called "women in transition." As our chapter on the mental health of Alaska women points out, married women have much higher rates of mental illness than do married men. Part of the explanation for these higher rates of mental illness has to do with the stress married women experience in numerous transition phases of the life cycle--the transition from married with no children to married with first child, the transition from married with children back to working adult, the transition from mother of children to wife and companion once the children have left the home. In the growing number of sensitivity training groups, consciousness raising groups and individual therapy sessions, one often finds women in one of these phases of the life cycle struggling to make the transition from one stage to the next. These groups or therapies provide recognition of the need of many women for support during these transitional periods. College courses devoted to study of women's changing role in society also help housewives who have stayed home to rear their children prepare for re-entry into the work world. Part-time work and a return to student status are alternate modes of making this transition. By encouraging the development of more part-time jobs in the economy, recognition of both the needs of mothers of small children and the needs of women making a transition into full time work could be made. By increasing the availability of responsible jobs in a variety of occupations which are nevertheless part time, employers would not only smooth this transition for many women but also benefit from the talents these women could bring to their new careers.

Day Care. An obstacle facing working mothers or mothers of small children who would like to work is the availability and cost of day care. In Alaska, there are approximately 55 day care centers and 300 certified family day care homes, according to the most recent Alaska Annual Planning Report.[13] These facilities accomodate an estimated 5,200 children. But in Anchorage alone, we estimate that there are at least 11,043 children in need of day care and presently not receiving it (Table 9). Our estimate concludes that the number of children in need of day care is at least double that of the number of chidren presently receiving day care in Anchorage alone. Even taking into account staggered work schedules, care by relatives and care in unlicensed homes, we still conclude that approximately 20 percent of the children in Anchorage 13 years of age or younger are without day care or any other alternative--in other words, these children are probably at home without adequate supervision.

Table 9. Estimate* of the Need for Day Care in Anchorage, 1976.

Total number of children 13 years and younger[1]	56,135
Total number of children 13 years and younger of working mothers[2]	16,795
Total number of licensed day care slots[3]	2,028
Other day care arrangements[4]	3,724
parents stagger work schedules	1,550
care by relatives	1,087
care by unlicensed day care facilities 13 years and younger	1,087
Total number of children receiving day care 13 years and younger	5,752
Total number of children without day care	11,043
Percent Anchorage children (13 and under) without day care	19.7

*This estimate was contributed by Dr. Dorothy Jones.

[1] This figure was arrived at by increasing the 1970 count of 40,011 children 13 and under (Summary Manpower Indicators for Anchorage) by 40.3, the percent increase in Anchorage's municipal population between 1970 and 1975 (Lee Huskey, Anchorage Municipal Planning Department, November 1, 1976).

[2] This figure was arrived at by increasing the 1970 estimate by 40.3 percent population increase between 1970 and 1975. The 1970 estimate was arrived at in the following manner: There were 18,887 Anchorage women in the labor force in 1970 (Summary Manpower Indicators for Anchorage). Applying the statewide percent of 48.8 married women and 48.9 female heads with children under age 18 in the labor force gives a total of 9,226 working mothers with children under 18 years of age (Detailed Characteristics of Alaska, Tables 198, 165). An average of 1.6 children per family in Anchorage in 1970 gives a total of 14,761 children under 18 of working mothers (Summary Manpower Indicators). Subtracting 18.9 percent of this number (the proportion of children 14 to 18 years of age in the general population of the state) gives a total of 11,971 children 13 and under of working mothers (Detailed Characteristics of Alaska, Talbe 138). Another recent estimate by Dr. Richard Ender of the Anchorage Urban Observatory validates this estimate. He concludes that there are 17,844 children 14 or under of working mothers in Anchorage in 1976. This estimate is based on extrapolation from the Anchorage survey of 1975.

[3] Therese Donnelly, Program Director, Anchorage Day Care Assistance Program, November 1, 1976.

[4] Estimates by Margaret Wolfe, Director, Mental Health Program, Anchorage Municipality, October 28, 1976.

Our survey of housewives contained a question regarding the need for day care if these women were to work. Of our respondents in Anchorage and Fairbanks, 35 percent mentioned that their children would need day care in order for them to work. As the number of working mothers continues to increase, day care facilities, particularly on a small scale and organized to protect and enhance the well-being of small children are critically needed. In addition to the availability of day care, its cost presents another issue of concern. Average costs of day care for a child over the age of one year are up to $252 per month or about $3,000 per year, an amount above the means of many parents.[14] For parents of more than one child, day care costs are prohibitive for all but the most affluent. In recognition of the inability of a large proportion of Alaska families to pay the costs of day care, the state legislature set up a liberalized day care assistance program in 1975. The federal day care assistance program (Title XX, Social Security Act) which the state plan replaced, provided assistance only for mothers eligible for Aid to Families with Dependent Children and the associated Work Incentive Program. The state assistance plan uses a sliding fee scale which covers families with somewhat higher incomes in addition to Aid to Families with Dependent Children and Work Incentive Program mothers.[15]

For families with incomes of less than $5,000, the state share of day care is 100 percent. This declines to between 60 and 80 percent for those with incomes between $8,000 and $10,999 and to 20 to 40 percent for families with incomes of $13,000 to $14,999. But as the median income of Alaska's families continues to rise (it is now $26,067 in Anchorage) even those relatively liberal standards will have to be expanded to keep up with rising costs. And in spite of the attempt of this new day care assistance program to reach more of the population, its funding is not sufficient to meet a substantial part of the need. In FY-76, the program spent $560,081 for day care.[16] At the cost of roughly $3,000 per child, this funding would accomodate full time less than 200 children over the age of 12 months. In fact, more children are accomodated since a large number are in part-time care. Yet, this number is still infinitesimal, compared with the estimated 11,000 children in Anchorage alone in need of day care.

A critical need in Anchorage, and probably elsewhere in the state, is for day care assistance and positions to accomodate children over the age of seven. A major obstacle to meeting this need has been the legislative prohibition against subsidizing care for children over this age. In our talks with day care experts, we were impressed by the possible harmful effects suffered by these children when parents leave them unattended before and after school.

The potential health and emotional hazards encountered by these children and the problems of delinquency associated with neglect should encourage a re-thinking of this legislative prohibition.[17]

Another issue of concern to day care experts is the staff-child ratio. The new state day care assistance program provides for one staff member for every three infants but requires only one staff member for every ten children aged two to twelve. These new standards need to be evaluated to establish the effect of these new staff ratios on the health, education and well-being of young children.[18]

We have seen that while the labor force participation of women is increasing women are still struggling with the traditional problems of adequate day care and part-time work, problems inherent in the roles of women as wives and mothers, especially in the child-bearing years. But traditional stereotypes about "woman's place" also plague women who would like to occupy non-traditional roles and who, with training and experience, could occupy high posts. The issues of sex discrimination in employment, occupational segregation and equal opportunity in employment will be discussed in the section which follows.

Occupation

In spite of the rapid change that has been taking place in women's labor force participation, women still are concentrated in three predominantly female occupational categories. Women continue to predominate as service workers in establishments such as laundries, canneries, and restaurants and in office and clerical work. In the professions, women are usually teachers, nurses, librarians or technicians, not principals, doctors or scientists.

Table 10. Occupational Distribution by Sex, State of Alaska and United States, 1960 and 1970 (Percent of Employed Men and Women 14 years of Age and Older in Each Occupation).

	Alaska				United States			
	1970*		1960*		1970*		1960*	
Occupation	Female %	Male %	Female %	Male %	Female %	Male %	Female %	Male %
managers, administrators	5.5	14.4	6.6	14.4	3.5	10.6	3.9	11.0
professional, technical	18.5	17.9	16.5	15.2	14.8	13.5	12.7	9.9
sales	6.6	4.2	7.5	4.4	6.9	6.8	7.8	6.9
clerical	35.8	5.5	32.8	5.5	32.8	7.2	29.3	6.7
crafts and kindred workers	1.2	21.5	1.0	22.7	1.7	19.7	1.3	19.9
operatives	3.4	6.4	5.1	6.9	12.7	12.7	14.8	13.1
transportation operatives	.6	4.2	.2	4.1	.4	5.5	.2	5.7
laborers (nonfarm)	1.1	7.8	.8	10.5	1.04	6.1	.8	7.2
farmers and farm managers	.05	.1	.2	.6	.2	2.7	.6	5.5
farm laborers and foremen	.05	.2	.1	.3	.5	1.6	1.2	2.8
service workers	15.9	9.3	13.9	8.1	15.2	7.6	14.0	6.4
private household	3.6	.07	9.7	.3	3.6	.07	7.8	.14

*Total percentages do not add up to 100.0 percent because "occupation not reported" responses are excluded from the table.

Source: U.S. Department of Commerce, Bureau of the Census, Detailed Characteristics, Alaska PC(1)-D3, 1970, Table 170, pp. 3-292-298.

The sex labeling of jobs,[19] sex discrimination in hiring and promotion, and the blunted aspirations of women[20] have all favored the continued segregation of women in these traditionally female occupations. Regardless of greater labor force participation by women, these patterns of isolation persist. In Alaska in both 1960 and 1970, approximately one-half of all employed women worked in either a service or a clerical job. Another 19 percent (in 1970) were employed in professional work. But a closer look at professional employment (Table 11) shows that women are still concentrated in only a few lower-status professional occupations, primarily as teachers, nurses, social workers and technical assistants.

Table 11. Distribution of Selected Professional, Technical and Kindred Workers by Sex, Alaska 1960 and 1970 (Number of Total Employed and Female Employed and Percent Female of Population Employed 14 Years of Age and Older).

Occupation	1970 Total number	1970 Female number	1970 Female percent	1960 Total number	1960 Female number	1960 Female percent
Total Professional/ Technical	16,489	6,648	40.3	9,124	3,515	38.5
High Status:						
Lawyer, Judge	377	46	12.2	242	24	9.9
Physicians	250	40	16.0	181	27	14.9
Clergy	394	15	3.8	281	34	12.1
Engineers	1,408	25	1.8	1,161	47	4.0
Architects	92	3	3.3	44	0	.0
University/ College Teachers	441	165	37.4	112	38	33.9
Life, physical scientists	748	90	12.0	316	11	3.5
Social scientists	105	33	31.4	33	1	3.0
Writers, artists entertainers	715	266	37.2	359	149	41.5
Low Status:						
Librarians	177	143	80.8	62	58	93.5
Reg. Nurses	1,060	929	95.8	629	628	99.8
Health technicians	275	195	70.9	96	72	75.0
Social workers	379	164	43.3	40	20	50.0
School teachers	4,626	3,149	68.1	2,360	1,687	71.5
Engineering/ Science tech.	1,386	166	12.0	931	104	11.5
Computer specialists	233	69	29.6	11	4	36.4
Total High Status	4,530	683	15.1	2,729	331	12.1
Total Low Status	8,136	4,815	59.2	4,129	2,573	62.3

Source: United States Department of Commerce, Bureau of the Census, *Detailed Characteristics, Alaska*, PC(1)D-3, 1970, Table 170, pp. 3-292-298.

The sex labeling of a job as "female" seems to relegate that occupational category to lower status and lower pay scales than jobs which might be labeled "male" on the basis of traditional sex role segregation. In a national study of the prestige ratings of various occupations conducted by the National Opinion Research Corporation,[21] traditionally female professional occupations all ranked significantly lower than traditionally male professional occupations in the prestige accorded the occupation by a national sample of both men and women. Table 11 maintains the ordering of occupations based on these national prestige ratings. We see, for example, that while in 1970 in Alaska 96 percent of all nurses, 71 percent of all health technologists or technicians, 81 percent of all librarians, and 68 percent of all teachers were women, only 2 percent of all engineers, 3 percent of all architects, and 12 percent of all scientists were women.

Occupational segregation changed very little over the ten year period from 1960 to 1970. In 1960, of the occupations listed in Table 11 , 12 percent of all high status professionals were women but 62 percent of all low status professionals were women. By 1970, these percentages had changed to include 15 percent of women in these high status professional occupations and 59 percent women in these low status professional occupations.

Table 12. Distribution of Selected Administrators by Industry, Alaska, 1960 and 1970 (Number of Total Employed and Female Employed and Percent Female of Number Employed 14 Years of Age and Older).

	1970			1960		
Industry	Total Number	Female Number	Female Percent	Total Number	Female Number	Female Percent
total, managers administrators, except farm	9,875	1,988	20.1	6,724	1,404	20.9
health administrators	133	40	30.1	9	7	77.8
college administrators	18	7	38.9	10	5	50.0
elementary/ high school principals	313	65	20.8	133	30	22.6
unions, lodges, societies officials	108	11	10.2	79	9	11.4
state public administrators	394	83	21.1	131	33	25.2
restaurant, cafeteria, bar managers	360	146	40.5	304	95	31.2
sales managers/ department heads - retail trade	305	82	26.9	83	17	20.5
other managers - retail trade	1,535*	418*	27.2	1,357*	369*	27.2
managers - wholesale trade	306*	11*	3.6	263*	24*	9.1
managers - construction	1,028*	51*	5.0	779*	20*	2.6
managers - manufacturing	307*	37*	12.0	244*	46*	18.8
managers - transportation, utilities, comm., sanitary services	757*	97*	12.8	622*	48*	7.7
managers - finance, insurance, real estate	198*	38*	19.2	349*	94*	26.9

*Includes both salaried and self-employed.

Source: United States Department of Commerce, Bureau of the Census, Detailed Characteristics, Alaska, PC(1)D 3, 1970, Table 170, pp. 3-293-294.

The percentage of women in the manager-administrator category over the period of 1960-70 remained at 20 percent. But within the category, women in 1970 held a greater proportion of the less prestigious positions such as restaurant or bar managers while a smaller portion of women held higher status managerial positions in government than in 1960.

Recent occupational distributions based on surveys conducted in Anchorage in 1975 and Fairbanks in 1976 yield overwhelming evidence that in Alaska's two largest cities women are still remarkably concentrated in professional, clerical and service occupations. In Anchorage, 78 percent of all women hold one of these three occupations. In Fairbanks, 76 percent hold one of these occupations. Further analysis of the Fairbanks survey data indicates that the same concentration of women in low status professional positions occurs in 1976 as was found for the state of Alaska as a whole in 1960 and 1970.[22]

Table 13. Occupation and Labor Force Status of Men and Women in Anchorage, 1975 and Fairbanks, 1976.

	Anchorage - 1975		Fairbanks - 1976	
Occupation	Female Percent	Male Percent	Female Percent	Male Percent
Professional/ technical	26	23	25	26
Managers/ administrators	11	22	10	12
Clerical	41	3	35	3
Sales	6	5	5	4
Crafts	2	24	5	26
Operatives, including transportation	3	12	3	18
Laborers	1	6	---	7
Service, including private households	11	6	16	4
Farm	---	---	---	1
Total percentage	100.0	100.0	100.0	100.0
Number of respondents	312	503	218	343
Not in civilian labor force	46%	16%	41%	5%
Total number of respondents	572	601	355	325

Source: Anchorage Housing Study survey, 1975, by Diddy Hitchins, Richard Ender, and Hayden Green, Anchorage Urban Observatory, special tabulation completed by the author. Fairbanks Community Survey, 1976, by John Kruse, Institute of Social and Economic Research, special tabulation by Kruse and Judith Kleinfeld especially for this study.

All other differences between the two cities are slight, with one exception. Anchorage has a higher percentage of men in the administrator-manager group--22 percent--compared with 12 percent of Fairbanks men. Since Anchorage is now the population center and headquarters for many corporations in the state of Alaska, it is not surprising to find such a predominance of males in managerial posts here. Fairbanks, a regional center whose economy supports primarily smaller firms, provides more equality between males and females in managerial positions. One result of the higher concentration of administrators in Anchorage may be the finding that a higher percentage of Anchorage women than Fairbanks women are not in the labor force. National studies[23] of the occupations of husbands and wives indicate that administrators are less likely than some professionals to marry women of equal educational attainment and, in turn, less likely to encourage their wives to work outside the home.

Minority Women

While women as a whole are concentrated in low-status professional, clerical and service occupations, Native women in particular are much more concentrated in either clerical or service work. Table 14 gives the occupational distribution for the state of Alaska by sex and race, based on the 1970 Census. Since Natives comprise the largest group within the "other races" category, we refer to the "other races" category as "Native" in our discussion. While close to 20 percent of both black and white women occupy professional positions, only 9 percent of Native women do. Native women are much more likely to hold either service or operative (cannery, mill worker, machine operator) positions. And white women are much more likely to work in clerical occupations. Other differences between white, black and Native women are small.

Table 14. Occupations of Employed Persons 16 Years of Age and Older by Sex and Minority Status, 1970, Alaska.

	Female						Male					
Occupation	Total	White	Black	Other Races	Spanish-Speaking	Minority Group*	Total	White	Black	Other Races	Spanish Speaking	Minority Group*
Professional, technical & related	19.9	21.4	16.8	8.8	15.6	11.2	19.2	20.4	12.6	9.1	16.7	10.5
Managers & administrators, nonfarm	5.8	6.0	2.7	5.2	4.7	4.7	15.2	16.3	3.5	7.8	9.2	7.4
Sales	7.4	7.8	4.8	4.4	8.2	5.0	4.3	4.7	2.2	1.7	5.2	2.1
Clerical	38.4	40.2	28.3	26.2	36.8	28.0	5.9	5.8	9.0	7.0	8.4	7.4
Craftsmen, foremen & related	1.2	1.3	0.0	0.9	0.0	0.6	24.0	24.5	26.1	18.9	26.2	20.7
Operatives, except transport	4.2	3.2	8.5	11.3	2.6	9.7	7.5	7.0	7.2	11.8	5.2	10.4
Transport equipment, operatives	0.7	0.7	0.0	0.4	1.1	0.4	4.7	4.6	3.2	4.9	4.3	4.7
Laborers, nonfarm	1.1	1.0	0.4	2.1	0.0	1.5	8.5	7.7	11.6	16.7	6.9	14.8
Service, except private households	18.2	15.9	32.1	32.4	25.1	31.5	10.1	8.6	23.3	21.6	17.8	21.3
Private household workers	2.8	2.2	5.8	7.1	5.8	6.6	0.0	0.0	0.0	0.0	0.0	0.0
Farm workers	0.3	0.2	0.5	1.0	0.0	0.8	0.5	0.4	1.3	0.5	0.0	0.6
TOTAL	100.0	99.9	99.9	99.8	99.9	100.0	39.9	100.0	100.0	100.0	99.9	99.9

*Sum of Spanish-speaking and all races except white. Some duplication possible since Spanish-speaking may include non-white as well as white.

Source: Alaska Department of Labor, Employment Security Division, Manpower Information for Affirmative Action Programs, State of Alaska, Table 3.

The Equal Employment Opportunity Commission's 1970-75 tabulations by race and sex (Table 15) also present essentially the same bleak picture for minority women. Total minority employment was 12 percent in 1970 and rose to a peak of 15 percent in 1974. It then fell to 12 percent in 1975. Minority females started with only 3 percent of total Alaska employment. Their percentage rose to 5 percent in 1973 and 6 percent in 1974. It then fell to 4 percent in 1975.

While Native females comprise 18 percent of Alaska's 1970 female population, their employment in Alaska's largest firms is extremely limited--less than 2 percent for most years--about the same as black females in spite of the fact that black females comprise about 2.6 percent of Alaska's 1970 population.

Table 15. Summary of Equal Employment Opportunity Commission Reported Minority Employment, 1970 through 1975, Alaska (Percent of total employment in each racial group)

OCCUPATION	1970	1971	1972	1973	1974	1975
Total Minority Employment Reported	11.5	12.0	12.2	13.9	14.9	12.4
Total Female	3.3	3.3	4.2	5.4	5.6	4.4
Total Black Employment	2.5	2.6	3.6	3.5	3.0	2.9
Black Female	1.1	1.2	1.7	1.8	1.8	1.4
Total Native Employment	5.8	6.5	5.9	7.2	7.7	6.0
Native Female	1.4	1.4	1.6	2.2	2.0	1.5
Total Minority White Collar Employment	3.8	4.4	4.7	5.2	9.6	9.3
Minority Female	1.6	1.8	2.5	2.9	5.5	5.6
Black Female	.6	.7	1.1	1.1	2.2	2.1
Native Female	.6	.7	1.0	1.1	1.8	1.9
Total Minority Blue Collar Employment	5.9	5.7	5.1	5.8	20.7	14.0
Minority Female	.7	.7	.6	1.0	4.5	1.8
Black Female	.1	.05	.08	.08	.5	.4
Native Female	.5	.4	.4	.6	2.1	.8

Source: U.S. Equal Employment Opportunity Commission, 1970 through 1975 EEO-1 Report State-wide Summaries.

The lack of jobs in rural Alaska where most Natives still live probably accounts for some of the low employment participation of Native women.[24] Conversely, black women may have better employment opportunities in the urban locations where they most often reside.

It is striking how few female Native or black females find employment in blue collar work for major employers in spite of the fact that 1970 Census occupational totals show they are concentrated in service occupations. This points to the preponderance of these minority women in smaller firms not included in the Equal Employment Opportunity Commission reportive requirements but also perhaps less likely to provide the salary and benefits enjoyed by workers in Alaska's largest firms. And by this exclusion, their predominance in Alaska's poverty group is even more assured.

Alyeska Pipeline Project

Since April, 1974, the trans-Alaska pipeline project has dominated the headlines and the economy of Alaska. Employing at peak periods over 25,000 workers, the pipeline project has transformed Alaska in more than a merely physical or economic sense. Initiated by Executive Order 11375, as amended by Executive Order 11246,[25] and prodded by the Alaska Human Rights Commission, the Department of Interior's Federal Contract Compliance Office, and local feminist groups, the Alaska Plan Plan Policy Board accepted an 8 percent goal for women in the construction trades on the pipeline in 1974. This affirmative action goal was the first goal for women in construction successfully negotiated at the state level.[26]

The goal of 8 percent seems to highlight the magnitude of male dominance on the pipeline project, a fact easily observed in the total female employed as a percent of total employed in either 1975 or 1976. Women accounted for 11 percent of the total pipeline employed in 1975 and 13 percent in 1976. And while the over-all 8 percent goal was reached in blue collar employment over all, the largest proportion of women in blue-collar work were still employed by the Culinary Worker's Union--a service category. Still, the trans-Alaska pipeline project produced a number of "first times" including over 1500 women in 1976 with paychecks reflecting between $12.00 and $18.00 per hour. Another first for women came when more women were working in 1976 as blue collar workers in crafts, as machine operators, laborers or culinary workers than were working in office or clerical work on the pipeline. A comparison of average salaries for each of the trades and for clerical, professional, technical and administrative occupations shows that the average salary paid Alyeska clerical workers was only $6.15 per hour compared with the $12.72 earned by a Teamster, $18.32 earned by a Welder, or $12.31 earned by a Culinary worker, for example. With a greater proportion of women on the pipeline project earning wages comparable to those earned by men, we for the first time can see a beginning break in the continuing decline in average female wages observed over the past decades as women's work has continued to command low wages.[27] The Alaska Plan 8 percent goal was determined somewhat arbitrarily in 1974, based on knowledge of the barriers in skill, interest and training preventing many women from actively seeking construction work. Taking one-fourth of the 1972 female unemployed as a realistically accurate pool of interested women, the goal of 8 percent of the 1972 construction work force of 13,000 was established.[28]

Table 16. Female Participation on the Trans-Alaska Pipeline, 1975-1976

	September, 1975				September, 1976			
	Female		Male		Female		Male	
Occupation	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Officials/ Managers	27	2.7	957	97.3	32	3.3	949	96.7
Professional/ Technical	187	9.3	1816	90.7	209	9.7	1946	90.3
Office/ Clerical	1332	77.0	398	23.0	1201	78.3	332	21.6
Crafts	13	.3	3923	99.7	60	1.1	5590	98.9
Operatives	505	4.1	11714	95.9	647	6.9	8696	93.1
Laborers	228	4.8	4518	95.2	397	9.7	3695	90.3
Service	686	50.4	674	49.5	651	47.9	707	52.1
Total Employment	2978		24,000		3197		21,915	
Percent Female & Male		11.0		89.0		12.7		87.3

Source: Glen Lundell, Aleyeska Pipeline Service Company, Anchorage, November, 1976.

Table 16 shows the distribution of male and female employees on the pipeline by occupational category for the two months of September, 1975 and September, 1976. While the proportion of women employed in blue collar work has increased, the largest concentration of women is still in the service area--women employed by the Culinary Worker's Union. Women were 50 percent of the service worker category in September, 1975 and 48 percent in September, 1976. Women accounted for 7 percent of the employemnt in the operatives category in 1976, up from 4 percent in 1975. Of all laborers in September, 1975, 5 percent were women, and by September, 1976, 10 percent of all laborers were women. Even in the crafts, 60 women were employed, although this totaled only one percent of all craft workers in September, 1976.

Yet, while progress in opening up construction jobs to women has been made, women are still the predominant workers in the clerical/office field (77-78 percent), although for the pipeline project their share of professional employment (less than 10 percent) and of administrative-managerial positions (3 percent) is quite small.

Table 17. Occupational Composition of Males and Females on the Trans-Alaska Pipeline Project in September, 1975 and September, 1976

Occupation	September, 1975		September, 1976	
	Percent Female	Percent Male	Percent Female	Percent Male
Officials/ Managers	.9	4.0	1.0	4.3
Professional/ Technical	6.3	7.6	6.5	8.9
Office/ Clerical	44.7	1.6	37.6	1.5
Crafts	.4	16.3	1.9	25.5
Operatives	17.0	48.8	20.2	39.7
Laborers	7.6	18.8	12.4	16.9
Service	23.0	2.8	20.4	3.2
Total Employment	2978	24,000	3197	21,915
	99.9	99.9	100.0	100.0

Source: Glen Lundell, Aleyeska Pipeline Service Company, Anchorage, November, 1976.

In Table 17 we can compare the occupational composition of both males and females on the trans-Alaska pipeline project for the months of September, 1975 and September, 1976. In 1975, 68 percent of all women working on the pipeline project held either a clerical or service job. In 1976, 58 percent held these two jobs and another 20 percent were working as operatives for the Operating Engineers, Teamsters, Inland Boatmen, or Pile Drivers. Another 12 percent of the women employed on the pipeline in 1976 worked as laborers, compared with only 8 percent of female employees in 1975.

Few of the women who worked on the pipeline project in either 1975 or 1976 worked as administrators or professionals. In fact, only 1 percent of all women workers were employed as administrators or managers in 1976; slightly more than 6 percent of all women employed on the pipeline in 1975 or 1976 worked as professional or technical workers. The technical nature of both administrative and professional work on the pipeline project undoubtedly precluded entry of significant proportions of women in either of these areas.

Some indications from the Equal Employment Opportunity Commission statewide summaries of Alaska major employers from 1970 through 1975 suggest that while women were enjoying increased opportunity on the pipeline project even in 1976 their share of total Alaska employment in blue collar work may have slipped to originally much lower levels. This needs detailed study to confirm our preliminary investigation. The gains made by women in work on the trans-Alaska pipeline need not be mere moments in history if concerted efforts to maintain these gains are completed now.

While Alaska's newest major employer was opening up new opportunities for women in non-traditional fields, Alaska's state government maintained a pattern of segregation of women in clerical and para-professional occupations, common too in federal employment in the state.

State and Federal Goverment Employment in Alaska

The distribution of males and females in state government employment shows a sizable amount of occupational segregation in only two occupations--a sharp contrast to conditions just discussed on the trans-Alaska pipeline. Table summarizes state government employment by sex and minority status for 1974 and 1976. In the state government as a whole, 38 percent of all employees in both 1974 and 1976 are women; only 5 percent of all employees are minority women. Female state government employees are concentrated overwhelmingly in two low-pay occupational categories--the clerical and para-professional fields. Of state clerical workers, 93 percent are women and 69 percent of all state para-professional workers are women. In contrast, 90 percent of all state managers or administrators are men and 75 percent of all professionals in state government are men.

Table 18. Alaska State Government Employment by Race and Sex, December, 1974 and August, 1976

Occupation	Percent of Total Employment				Percent of Caucasian Employment				Percent of Minority Employment				Total N	Total N
	1976		1974		1976		1974		1976		1974		1976	1974
	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male		
Officials/ Administ.	11	89	10	90	10	87	10	87	1	2	1	2	405	385
Professionals	25	75	28	72	23	73	26	70	2	2	2	2	2339	2086
Technicians	49	51	40	60	42	47	34	34	6	5	6	6	734	829
Protective Services	8	92	2	98	6	87	2	94	1	6	0	4	613	466
Para-Professionals	69	31	67	33	53	19	48	20	16	12	19	13	247	187
Office/ Clerical	93	7	93	7	81	6	82	6	12	1	11	1	1654	1554
Skilled Service	2	98	1	99	2	85	1	86	0	13	0	13	992	916
Maintenance	29	71	27	73	25	63	22	64	5	7	5	9	861	778
Total Empl. Percent	38	62	38	62	33	57	34	57	5	5	4	5	7845	7201

Source: State of Alaska Equal Employment Opportunity Office, Quarterly E.E.O. Report, August, 1976.

The extreme segregation of female employees in only two occupational classes also has a significant effect on total female earnings. Table 19 presents a distribution of all state government employment by occupation and salary, from 1976 Equal Employment Opportunity reports. Whereas 33 percent of male state employees earn $25,000 or more, only 8 percent of all female state employees earn this much. Another 55 percent of male state employees earn between $16,000 and $25,000. Only 11 percent of all male state employees earn less than $16,000 per year. In contrast, a majority (60 percent) of female state government employees earn less than $16,000.

Table 18. Alaska State Government: Percentage of Male and Female Employment by Occupation and Salary Range, June 30, 1976

Salary in 000's	Official Managers	Profes- sionals	Tech- nical	Protective Services	Para Profes- sionals	Office/ Clerical	Skilled Craft	Serv. Main.	Total
$25 or more									
Females	93.2	30.0	1.6	4.3	.6	--------	-------	.8	7.6
Males	87.2	56.8	18.8	22.2	-------	.8	6.3	5.7	33.2
16.0-24.9									
Females	6.8	64.1	57.8	82.6	27.1	12.2	85.0	38.0	31.9
Males	12.7	42.2	58.9	67.2	22.1	15.0	87.5	67.3	55.5
13.0-15.9									
Females		5.9	35.4	13.0	31.2	34.7	10.0	41.1	28.5
Males		.3	19.9	10.2	23.4	22.5	4.3	19.0	7.2
10.0-12.9									
Females			5.3	----	41.2	52.7	5.0	18.2	31.7
Males		.04	2.1	.4	54.5	60.8	1.2	7.1	3.9
8.0-9.9									
Females						.3		.4	.2
Males						.8	.2	.3	.1
6.0-7.9									
Females								.4	.03
Males							.1	.2	.04
4.0-5.9									
Females								.8	.07
Males								.3	.04
0.1-3.9									
Females							---	.4	.03
Males							.4	---	.08
N=									
Females	44	580	322	46	170	1534	20	263	2979
Males	361	1759	341	567	77	120	973	630	4828

Source: Tabulation by Eleaner Ouste, Equal Employment Opportunity Coordinator, State of Alaska, Juneau, December, 1976.

Not only are women in state government segregated primarily in only two job classes, but entry level salaries and advancement opportunities in these two job categories are significantly different from comparable entry level salaries and promotional opportunities in male-dominated occupations. For example, the salary of an entry level clerk-typist is in Range 6 of the state's salary schedule ($928.00 per month), whereas a draftsman starts at Range 9 ($1019.00 per month) and an automotive equipment operator enters at Range 11 ($1156.00 per month). Each of these positions requires a high school diploma and a minimal skill level at job entry.

A 1974 study of promotional opportunities in clerical occupations in Alaska state government highlights the lack of opportunity for promotion in all clerical positions.[29] At that time, there were 488 Clerk-Typist III positions in state government but opportunities for advancement beyond this point were seriously limited. Only 207 positions existed at the next salary range (Secretary I or Clerk IV) and only 51 positions existed at the Secretary II or Clerk V level. Combined with these meager opportunities for advancement, the low entry level wages for clerical positions are a serious inequity and undoubtedly contribute to relatively higher turnover rates in the clerical field.[30]

Statements of a few state government employees illustrate some of the dilemmas faced by women in state government.

A Clerk Typist III states:

"In a typical clerical position there is no room for advancement after you become a III. More and more responsibility is placed on you as you become more familiar with the agency's responsibilities. But the pay is a dead end street..."

A Librarian with eight years of experience observes:

"Please note that truck drivers, boilermen, custodians, etc., all start at higher salaries than I earn after eight years on my job..."

A Clerk Steno III declares:

"Men would not be caught dead working in my posiition with its responsibilities, workload, demeaning title and low pay....It is still believed that women can be supported and therefore don't need the pay. This is very out-of-date. We are forced into living with parents or roommates in order to support ourselves and families. We are also told that we need higher education in order to be paid less than a man. What nonsense!!"

An Administrative Assistant I states:

"While working for the state of Alaska...efforts were made to upgrade a position to 'Unit Manager.' I applied for the position, took the exam and passed it; however, I was told the position was being upgraded specifically for one of the male employees, and when I tried to discuss our respective qualifications, was told to "stop making waves..."

A Secretary I talks about other promotional problems:

> "...I've seen promotion opportunities for the men but most higher positions opening for women have been filled from the outside, preventing most of the women from advancing...Morale among the women has dropped to an all-time low. Who cares what happens with treatment like that."

Finally, a Sanitarian III states:

> "I have found that women, in a generally male profession, are encouraged because of the amount and quality of work they perform; however, they are usually not considered (seriously) for management positions. Capable women are advanced to a "satisfactory wage level" and then moved laterally--often given just enough "taste" of responsibility" to encourage them to stay in the position in the hope of future advancement (which seldom comes without a transfer)."[31]

Minority Employment in State Governemnt. Minority female employment in state government is even more limited than total female employment. Even so, minority women are still heavily concentrated in either clerical or para-professional positions. The highest percentage of minority women can be found in para-professional occupations--16 percent--but this is down from the 19 percent recorded for 1974. In clerical work, 12 percent are minority women, up from 11 percent in 1974. Only 2 percent of the professionals are minority women. In skilled service work, only three minority women are employed in the whole of state government.

From 1974 to 1976, female employment in Alaska state government increased by 186. In contrast, 403 males were added to state government payrolls during the period. Minority females increased by 37. Overall, minority females made up only 5 percent of the total employment in state government in 1976, up from 4 percent in 1974.

Federal Employment in Alaska. Data obtained from the U.S. Army and U.S. Air Force on their civilian employees in Alaska confirm our observations about occupational segregation in low-paying government jobs. The same pattern of segregation in lower paying clerical positions is evident for these two major employers (Tables 20 and 21).

Table 20. United States Army Civilian Employment by Sex and Grade, Alaska, June 30, 1976 (Number of Employees by Sex and Percent Female by Range and Average Salary)

Salary Range	Female Number	Male Number	Percent Female of Total	Average Salary
GS 12 or more	3	69	4.2	$24,522
GS 11-8	83	103	44.6	$17,730
GS 7-1	502	22	95.8	$10,170
Total GS	588	194	75.2	$13,289
Total GS Supervisory	52	88	37.1	$17,793
Total GS Non-supervisory	536	106	83.5	$12,307
WS 10 or more	0	68	0	$33,696
WS 6-9	0	44	0	$31,794
WS 1-5	5	3	62.5	$26,686
Total WS, WD	5	115	4.2	$32,531
WL 10 or more	0	34	0	$28,746
WL 6-9	0	11	0	$26,631
WL 1-5	1	4	20.0	*
Total WL	1	49	2.0	$27,523
WG 10 or more	0	365	0	$26,366
WG 6-9	15	246	5.7	$23,603
WG 1-5	98	153	39.0	$19,442
Total WG	113	764	12.9	$23,562

*Salary withheld to respect privacy.

Source: Vince Casey, E.E.O. Officer, 172nd Infantry Brigade, (Alaska), U.S. Army Headquarters, November 29, 1976.

In the U.S. Army, only 4 percent of all G.S. 12 through 15 positions are held by women, while 96 percent of all G.S. 1 through 7 positions are filled by female employees. In the U.S. Air Force (Table 21), 10 percent of the G.S. 12 through 15 positions are held by women and 93 percent of the G.S. 1 through 7 positions are held by women. And, as we have noted earlier, average salaries for these positions are significantly lower as female concentration increases. The average salary, weighted by the number of employees holding positions at each level, is $10,006 per year for G.S. 1 through 7 positions, compared with $25,057 for G.S. 12 or higher positions. Salaries of at least $25,000 or more are the rule in the blue collar civilian jobs in the U.S. Air Force and U.S. Army in Alaska, but these jobs are held by very few women.

Table 21. United States Air Force Civilian Employment by Sex and Grade, Alaska, June 30, 1976 (Number of Employees By Sex and Percent Female by Range and Average Salary)

Salary Range	Female Number	Male Number	Percent Female of Total	Average Salary
GS 12 or more	9	82	9.9	$25,057
GS 11-8	47	104	31.1	$17,838
GS 7-1	474	34	93.3	$10,006
Total GS	530	220	70.7	$13,409
WS 10 or more	0	77	0	$33,698
WS 6-9	1	95	1.0	*
WS 1-5	1	13	7.1	*
Total WS	2	185	1.1	$32,305
WL 10 or more	0	42	0	$28,648
WL 6-9	0	21	0	$27,057
WL 1-5	0	3	0	$22,027
Total WL	0	66	0	$27,840
WG 10 or more	0	327	0	$26,220
WG 6-9	23	280	7.6	$23,685
WG 1-5	42	88	32.3	$20,002
Total WG	65	695	8.6	$24,146

*Salary withheld to respect privacy.

Source: Les Horn, E.E.O. Officer, Elmendorf Air Force Base, Anchorage, December , 1976 and January, 1977.

In blue collar employment with the U.S. Air Force or U.S. Army in Alaska, the only significant proportion of women in any of these jobs is in the lowest paying Wage Grade 1 through 5 level, with average annual salaries of about $20,000. In the U.S. Army, a few women are also employed in the Wage Supervisor or Wage Dollar grade 1 through 5 positions, earning an average of $26,686 per year.

Other Government. We have current Equal Employment Opportunity data for the U.S. Fish and Wildlife Service, another federal employer. In FY-76, female employees of the Fish and Wildlife Service in Alaska represented 55 percent of G.S. grades 9 through 11. There were no female employees beyond the G.S. grade 11 level, although there were forty males in these high posts.[32]

Alaska Court System. Information from the Alaska Court System highlights the opportunities for women in this branch of state government. Unfortunately, data obtained from the 1975 Annual Report and a more recent summary provided for January, 1976 do not show the same picture of opportunity within the court system. The 1975 Annual Report states that 46 percent of the professional and managerial positions were held by women in 1975. The report also states that women comprised 44 percent of the second-level supervisory positions and 21 percent of the law clerk positions in 1975. A more recent calculation, however, based on 1976 budget requests by the court system[33] shows that only 28 percent of the top professional or administrative positions were held by women, 50 percent of the second-level supervisory positions were held by women, and 21 percent of the law clerk positions were held by women in early 1976. Within the second-level administrator category, seven out of ten women were in the Range 16 or 17 category at the bottom of the second-level, while only one man out of a total of eleven was in Range 16 or 17 and ten men were in Ranges 18 through 20.

The discrepancy between the two time periods and in the two highest administrative categories may be due to turnover in these positions during the interim period. On the other hand, it is interesting to note that the trend toward greater concentration of women in lower level supervisory positions is consistent with other data reported so far.

Alaska Education System. In contrast to the relatively close approximation of the Alaska Court System to affirmative action guidelines, the Alaska Department of Education has a considerable distance to travel before the opportunity structure in elementary and secondary education in Alaska could be so characterized.

Table 22. Distribution by Sex and Average Salary by Sex of Administrative and Professional Personnel at the Elementary and Secondary School Level, State of Alaska, 1976-77, Excluding Anchorage Municipal Schools

	Category	Female Avg. Salary	Male Avg. Salary	Total	% Female	Ratio F/M Salary
01	Superintendent	$18,931	$37,605	43	2.3	.50
02	Assistant Superintendent	-------	37,074	20	0	---
03	Principals	28,344	31,904	109	8.2	.89
04	Assistant Principle	19,597	29,139	19	10.5	.67
05	Titled Directors	23,892	30,275	33	18.2	.79
06	Titled Coordinators	20,515	27,609	32	40.6	.74
07	Titled Consultants	8,370	25,725	3	66.7	.33
08	Administrative Assistant	20,212	26,840	9	33.3	.75
09	Business Manager	21,257	29,658	9	44.4	.72
10	Curriculum Specialist	28,235	30,224	9	88.9	.93
11	Counsel-Guidance	23,799	22,872	69	43.5	1.04
12	Library/Media	21,741	20,559	63	88.9	1.06
13	Remedial	19,650	18,465	60	81.7	1.06
14	Head Teacher	22,805	23,118	113	20.4	.98
15	Teacher	20,390	20,490	2486	58.8	1.00
16	Visiting Teachers	17,536	20,380	10	40.0	.86
20	Nurses	18,472	......	20	100.0	--
21	Other Medical	20,250	22,146	4	50.0	.91
	Total, non-Anchorage Professional and Administrative staff and percent female of this total	-	-	3111	[illegible]4.4	-

Source: Alaska Department of Education, Mini-Directory, 1976; Jim Nelson, Systems Analyst, Alaska Department ofEducation.

Table 22 gives the average salaries, total employment and percent female of professional and administrative personnel employed in elementary and secondary schools in Alaska outside of the Anchroage Municipal School District. These data supplement the discussion found in Chapter I, Women and Education. Data representing the full range of professional and administrative personnel were not available for the Anchorage Municipal School District at time of writing. Our discussion, therefore, excludes the Anchorage Municipal schools, while the discussion in the Women and Education chapter includes Anchorage.

While female teachers outside of the Anchorage area account for 58 percent of all teachers, female superintendents are only 2 percent of all superintendents; there are no female assistant superintendents and females account for only 8 percent of all principals and only 11 percent of all assistant principals. With four exceptions--librarians, remedial reading instructors, counselors and teachers--every position for which average salaries are compared show women's salaries are substantially below men's salaries, regardless of rank or responsibility.

Although the largest gap exists in the superintendent level salaries, at the assistant superintendent level, female salaries are only 67 percent of male salaries and female titled consultants earned only 33 percent of the salaries earned by males. Other administrative positions show the same disparity in incomes between female and male position holders: female titled directors earn 79 percent of the salary of male titled directors, female titled coordinators earn 74 percent of the salary made by male titled coordinators. While some of these disparities may reflect different levels of experience, seniority and perhaps educational factors, it would appear that there is considerable room for questioning the good faith efforts of local school districts in Alaska concerning affirmative action goals and priorities.

Alaska's Medical Systems. Alaska's medical field presents a somewhat more positive picture of employment opportunity for women in administrative posts. At Anchorage area hospitals at least, there appears to be relative equality in administrative positions, although in the medical profession as a whole men comprise over 90 percent of all doctors in each of the medical systems operating in Alaska--military, private practice, state, and Indian Health-U.S. Public Health Service.[34]

Table 23. Percentage of Male and Female Employment by Occupation at Alaska Hospital and Medical Center, Anchorage, 1976

Total Employment	Percent Female	Percent Male	Total N=
Officials and Managers	54.5	45.4	11
Professionals	93.9	6.4	99
Technicians	75.8	24.2	33
Office/Clerical	92.3	7.7	52
Crafts	-	100.0	8
Operatives	80.0	20.0	5
Service	78.6	21.4	98
Total Employment	82.7	17.3	306

Source: Pat Beaugard, Director of Personnel, Alaska Hospital and Medical Center, Anchorage, October 26, 1976.

Table 23 summarizes the male and female employment composition at Alaska Hospital and Medical Center. While 83 percent of the hospital employees are female, slightly over 50 percent of the administrative posts are held by women. At Providence Hospital also, over 80 percent of the employees are women, but 68 percent of the administrators or managers are women.[35] In the U.S. Public Health Service, only three women (23 percent) occupy positions in the G.S. 14-15 range at the top level. But in th ranges 1 through 7, over 90 percent of the employees are female (Table 24).

Table 24. Percentage of Male and Female Employment by Grade Level, Alaska Native Health Service, December 31, 1975

Grade Level	Percent Female	Percent Male	Total N=
14-15	23.1	76.9	13
12-13	26.5	73.5	49
9-11	76.0	24.0	104
7-8	90.9	9.1	176
5-6	91.7	8.3	133
1-4	97.6	2.4	291
Total, All Grades	661	105	766
Percent Female & Male of Total	86.3	13.7	

Source: Equal Employment Opportunity Office, Alaska Area Native Health Service, Department of Health, Education and Welfare, Public Health Service, October 28, 1976.

A statewide comparison of health facilities, on the other hand, does not provide as favorable a picture as these Anchorage hospital statistics indicate. For the state as a whole, women make up only 31.6 percent of the administrators of municipal or state hsopitals, none of the U. S. Public Health Service hospital administrators, and none of the military hospital administrators. Women do account for 43 percent of nursing home administrators and 67 percent of pioneer home administrators, however.[36]

The concentration of women in the lowest paying ranks of a large variety of occupational fields maintains the median income of full-time women workers in Alaska at half that of men. Women's low incomes and the poverty which often follows from them are discussed in the next section of this chapter.

Income and Poverty

Income Inequality

A primary obstruction to women's occupational aspirations, career goals and achievements is the reality of serious and substantial income inequality, regardless of occupation or experience. In Alaska in 1970, the median income of full-time continuously working women was $6866; for continuously working men, it was $12,943 (1969 incomes), almost twice the income earned by women.

Table 25a. Median Earnings in 1969 of the Experienced Civilian Labor Force in 1969 by Occupation and Sex, Alaska.

ALASKA

	All Earners		Earners Who Worked 50-52 Weeks in 1969		
	Female	Male	Female	Male	Ratio F/M
Total Experienced Civilian Labor Force	$4818	$11,242	$6866	$12,943	.53
Managers and Administrators	6892	14,646	8422	15,000	.56
Professional, Technical & Kindred	4488	13,204	8946	14,225	.63
Sales Workers	3634	11,289	5614	12,743	.44
Clerical & Kindred	5296	9327	6856	11,319	.61
Crafts & Kindred	5833	12,098	7759	13,057	.59
Operatives except Transport	2191	9460	5510	11,585	.48
Transport Operatives	2922	9708	----	11,304	---
Laborers, non-Farm	2635	6744	5818	10,504	.55
Farmers & Farm Managers	----	----	----	------	---
Farm Laborers & Foreman	----	5214	----	------	---
Service Workers Except Private Household	3276	7061	5568	9660	.58
Private Household Workers	578	----	803	----	---

Source: U.S. Department of Commerce, Bureau of the Census, Detailed Characteristics, Alaska, 1970, PC(1)-D3, Tables 175 and 176, pp. 3-323-324 and 3-329.

Table 25b. Median Earnings in 1969 of the Experienced Civilian Labor Force in 1969 by Occupation and Sex, United States

	UNITED STATES All Earners		Earners Who Worked 50-52 Weeks in 1969		
	Female	Male	Female	Male	Ratio F/M
Total Experienced Civilian Labor Force	$3649	$7610	$4715	$8517	.55
Managers & Administrators	5495	11,277	6102	11,747	.52
Professionals, Technical & Kindred	6034	10,735	6872	11,752	.58
Sales Workers	2338	8451	3498	9454	.37
Clerical, Kindred	4232	7265	5110	7973	.64
Crafts, Kindred	4441	8172	5277	8730	.60
Operatives, except Transport	3635	6730	4334	7439	.58
Transport Operatives	2574	6903	4730	7583	.62
Laborers, non-Farm	2988	4647	3960	6135	.65
Farmers & Farm Mgrs.	2277	4822	2580	5122	.50
Farm Laborers & Foreman	1087	2570	2440	3628	.67
Service except Private Household	2320	5100	3465	6381	.54
Private Household	986	1891	1482	3118	.48

Source: U.S. Department ofCommerce, Bureau of the Census, United States Summary, Characteristics of the Population, Tables 227 and 228, pp. 1-766 and 772-773.

This substantial difference in male and female earnings was not wholly the result of differences in occupation. Table 25 shows the income differentials by sex in each occupation for Alaska and for the United States as a whole in 1970. Comparing only full-time continuously employed workers, the differential between men and women in Alaska is smallest in most white collar occupations (professional, managerial or clerical) and most substantial in blue collar occupations (operatives, laborers, crafts, service workers). The dollar differential between male and female earnings in Alaska in 1970 was $7,000 for sales workers, $6,000 for operatives, $5,000 for professional workers and craft workers and $4,000 for clerical workers.

While some of these income differentials can be explained by different job specifications, work histories, and work experience, we know from carefully controlled national studies of income differences between men and career women that much of the inequality in incomes cannot be explained by these factors. In a study comparing men and women aged thirty to forty-four in the United States matched by education, work experience and occupational status, Larry Suter of the U.S. Census Bureau and Herman Miller of Temple University constructed regression equations which controlled for the independent influence of these three factors on median incomes of women and men. They state:

> The inability of women to convert occupational status into income to the same extent as men suggests that much of the remaining unexplained difference in male/female earnings could be attributable to discrimination in payment for jobs with equal status.[37]

The unexplained differential between men and career women referred to above is 38 percent. In other words, even when virtually equal conditions exist, women experience discrimination in hiring, promotion and salary which together could account for most of the unexplained differential in salary found in this study.

The income differential between men and women is not declining. In another national study, reported at the 1975 Population Association of America meetings, John McNeil and Douglas Sater found that when national 1960 and 1970 Census female/male earnings ratios were adjusted for age, education, weeks worked and hours worked, the ratio did not change over the ten year period.[38]

In a recent article, former Michigan Congresswoman Martha Griffiths forcefully argues that the issue of income inequality is only one factor in a national economic policy which is "overwhelmingly unfavorable" toward women.

> Women's inferior economic status results at least in part from the failure of American economic policy to assure equitable reward for work done by women, both inside or outside the home. Public policy tends to discourage wives from working outside the home and to treat them as second-class workers when they do so.[39]

Griffiths goes on to detail a number of sources of inequality in treatment which favor men's jobs over economic security for women. First, the income tax structure tends to discourage married women from working by taxing second incomes in two-earner families at higher levels than single incomes. Second, insofar as women are more likely to work in smaller service-industry firms or in private household work, for example, they are less likely to receive private pensions than are male earners. Even women who receive private pensions receive much lower pension benefits in part due to their lower salaries. Griffiths points out:

> Among social security recipients who retired in 1969-70 with private pensions, the median annual private pension for men was $2,080; but for women, it was only $970.[40]

The social security system contains numerous systematic biases which seriously devalue the contributions made by women to total family income. The most serious unresolved inequity is the lack of social security coverage for unpaid homemaking. After a lifetime of work as a housewife, a woman still cannot claim social security coverage for herself because of this work. She is only eligible through her husband's allowance.[41] Another social security inequity that penalizes women is disability coverage.

> "...the social security system's method of determining eligibility for disability payments penalizes women for interrupting their employment to fulfill responsibilities in the home. In order to be eligible for disability benefits, workers not only must be fully insured, but also must have worked five years out of the ten immediately preceding the onset of disability. As a result, only about 40 percent of women earners, compared

> to 90 percent of men earners, are insured for disability under social security."[42]

A recent United States Supreme Court decision (General Electric vs. Gilbert et. al.) sanctions at least one form of differential disability benefit, namely pregnancy.[43] This decision seems to suggest that full equality in treatment of women regarding disability leave and benefits is still a long way from resolution in the United States.

These inequities, although a part of historical relations between the sexes and rooted in assumptions about the stability of families and the responsibility of husbands for support, no longer fit the realities of 1976 America-- women work because they have to:

23.3 percent of working women are single;
19.0 percent of working women are separated, widowed, or divorced from their husbands;
26.1 percent of all married working women are married to men earning less than $10,000 per year;
54 percent of all minority women workers are either single, widowed, divorced or separated from their husbands;
only 25 percent of minority women in the United States are married to men earning more than $7,000 annually.[44]

And in addition to economic necessity, an increasing number of women, both in Alaska and the nation, are challenging these old economic assumptions in class action suits and sex discrimination complaints, supported by the following laws outlawing unequal pay and other forms of employment discrimination:

1. The Equal Pay Act of 1963, as Amended: covers all employees included under the minimum wage law of 1972. Enforced by the Department of Labor's Wage and Hour Division, this act prohibits "any discrimination in wages (including overtime, sick and vacation pay) and fringe benefits (including health and life insurance, pension and other retirement benefits, profit sharing and bonus plans, credit union benefits) which is based on sex."[45]

2. Title VII of the Civil Rights Acts of 1964, as Amended, 1965 and 1972: 1965 covers private sector workers;

1972 covers employees of state and local government and educational institutions and employees of firms employing fifteen or more persons. Enforced by the Equal Employment Opportunity Commission, Title VII prohibits "any discrimination based on sex in hiring, firing, promotion, wages, classification, employment referrals, or assignment, extending or assigning the use of facilities, training, apprenticeships, fringe benefits, including medical, maternity benefits, life insurance, pension and retirement programs, and any other conditions or privileges of employment."[46]

3. Executive Order 11246, as Amended by Executive Order 11375, 1968: covers employers and institutions with contracts over $10,000 with the federal government and their subcontractors. Enforced by the Office of Contract Compliance, Department of Labor or its designee (in Alaska, Department of Interior), the order prohibits discrimination in employment including wages, hiring, promotion and benefits.[47]

4. AS 18.80: Alaska Human Rights Law, 1963: The law forbids "an employer to refuse employment to a person, or to bar him from employment, or to discriminate against him in compensation or in a term, condition, or privilege of employment because of his race, religion, color or national origin, or because of his age, physical handicap, sex, marital status, changes in marital status, pregnancy or parenthood when the reasonable demands of the position do not require distinction on the basis of age, physical handicap, sex, marital status, changes in marital status, pregnancy or parenthood;..."[48]

These federal and state laws provide a strong basis in law for fighting sex discrimination in employment, yet trends in female employment and income show very little change since 1960. One part of the explanation for this slow progress lies in the fact that, although the nation and Alaska have strong laws outlawing sex discrimination in employment, effort expended on enforcement is still meager compared to the need. According to the National Commission on the Observance of International Women's Year, the backlog of cases at the Equal Employment Opportunity Commission in mid-1976 was over 100,0000.[49] In Alaska, the backlog of cases at the Human Rights Commission is approaching 900 at this time. With current backlogs, new cases take a minimum of one year to process.[50]

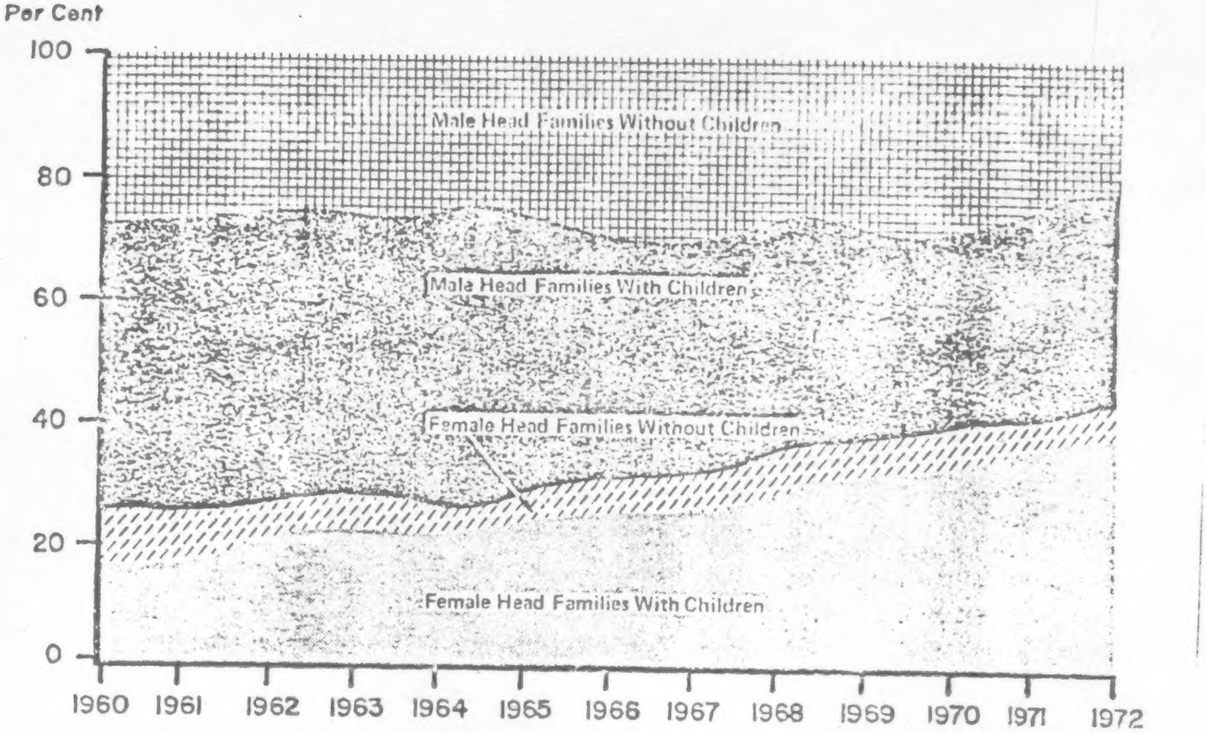
Another reason for the slow progress against sex discrimination in employment is the magnitude of the changes in law so recently introduced and the slow change of individuals relative to these historic decisions. Undoubtedly, the expense of sex discrimination class action suits and the unwillingness of many women to assert themselves when it would effect their relationships with colleagues and friends has helped maintain the patterns of sex segregation in jobs and low incomes for women's work intact. But as more and more of the national literature on women in employment points out,[51] women are not giving up their jobs in response to fluctuations in market conditions, their turnover is down, their interest in work is at an all time high. And as more and more women work, their willingness to challenge sex discrimination in pay and promotion, in hiring and the delegation of responsibilities will more than likely continue. One can also expect that women will be more likely to support other women's efforts against these barriers as they begin to assert their own newly won rights before the law.

The Problem of Poverty. Although changes in law and enforcement are slowly taking place, women's wage levels have not kept pace with men's pipeline induced wage gains. While single women willing to live with roommates or in their parents' home and married women whose husband's income is sufficient to support the family's health and well-being are not as critically dependent upon wage income, women whose husbands earn low wages or are subject to frequent unemployment, women who are heads of families and women with or without husbands who have several children to support feel the anxious pressures issuing from low income, the need to work and the fear of unemployment. Often with the demands of families, they must drop out of the labor force or they experience severe problems arranging for day care and paying for its costs. If public transportation is not available, many of these low-income women experience difficulties getting to work or keeping a job.

A number of recent studies have begun to focus on a social problem which seems to be growing in the United States--the problem of poverty among female-headed households. As the divorce rate has continued to rise and as social mores have eased concerning the maintenance of children out of wedlock, the proportion of all families headed by women has risen. In addition, the proportion of female-headed families living in or near the poverty level continues to rise, threatening to surpass male-headed families as the predominant poverty group.

From analyses of poverty families from 1960 through 1972, Heather Ross, Assistant Director of the United States Department of Interior's Office of Policy Analysis, concludes that while in 1960 29 percent of poor families were female headed, by 1972 43 percent of poor families were female headed.[52] While the over-all number of female-headed families did grow faster than the number of poor female-headed families during the decade of the 1960's, the fraction of all poor families with female heads rose markedly over the period. This trend can be seen in Figure 1.

FIGURE 1. FAMILIES IN POVERTY, 1960-1972, U.S. TOTAL POPULATION



Source: Heather Ross, "Poverty: Women and Children Last" in Jane R. Chapman (editor) Economic Independence for Women: The Foundation for Equal Rights, Beverly Hills, California, Sage Publications, 1976, Figure 2, p. 139.

Time and budget do not permit a thorough analysis of the extent of poverty among female-headed households here in Alaska, but fragmentary data for Anchorage and Fairbanks, in particular, suggest that poverty is a central concern for female-headed households here. Both the low wages of women and the lack of enforcement of child-support awards tend to reinforce the poverty status of female-headed families in Alaska.

Table 26 shows that the mean family income of female-headed families in Alaska in 1970 was only $6,999. For male-headed families, mean family income was $14,104, over twice that of females. Although not entirely comparable as a measure of income, Robert Nathan Associates' study of Alaska poverty guidelines suggests that the median yearly income of non-Native Alaskans is now about $19,700; they go on to state:

> "But some people in Alaska are not on the escalator of high earnings and high prices. If they do not have the kind of modern sector employment which produces the high earnings, they have left only the high prices."[53]

Table 26. Mean Family Income of All Families and All Families Below Poverty Level by Race and Sex of Head: Alaska, 1970

	Male Heads			Female Heads		
	T	Native	Non-Native	T	Native	Non-Native
All Income levels families	62613	10.9%	89.1%	4057	26.6%	73.4%
Mean family income	$14104	$8091	$14837	$6999	$4363	$7955
Below Poverty levels families	4719	53.2%	46.8%	1504	39.3%	60.7%
Mean family income	$2410	$2732	$2044	$1438	$1919	$1127

Source: 2(C) Study: Federal Programs and Alaska Natives, U.S. Department of the Interior, 1975, Table T5H(1) and 5H(2), Task 1, Part B., Section 5.

In Anchorage, the mean family income in 1970 for female-headed households was about $2,000 higher than the mean for all female-headed households in the state, yet even in Anchorage, female family heads only earned an average of $8,064. By 1975, Anchorage incomes had risen substantially, but women were still in the lowest income category. The median income of all families in Anchorage had risen to $26,067 but almost 50 percent of all female-headed households had incomes of $17,500 or less.

Table 27 · Distribution of Annual Household Income by Sex of Head of Household; Anchorage, 1975

Annual Household Income	Sex of Head of Household	
	Male	Female
$17,500 or less	23.7%	48.5%
$17,501 - $27,499	26.4%	28.1%
$27,500 - $39,999	23.8%	13.6%
$40,000 or more	26.1%	9.8%
Number of Respondents	447	74

Source: 1976 Census UpDate of the Anchorage Municipality by Patricia L. Dolezal and Richard L. Ender, Anchorage Urban Observatory Program, September, 1976, Table III-1.

While over one-fourth of all male-headed families had incomes over $40,000, only 10 percent of female-headed families had incomes this high.

Data on family heads in Anchorage in 1975 suggest they were almost as likely to be working as were male family heads (80 percent employed vs. 91 percent of male family heads), and their family size was not unusually high--74 percent had one or two related others living with them.[54] But they were much more likely to reside in rental units (59 percent) than were male-headed households and to be concentrated in the lower rental areas within Anchorage.[55] The median rent paid by these households was $299, compared with $323 for male-headed households, and 37 percent of female-headed households, but only 26 percent of male-headed households, were in the lowest rent category ($249 or less per month).

These income and other indicators for female family heads in Anchorage point to the marginal existence of these women and their families in Alaska and suggest some of the difficulties confirmed in national studies.[56] Without incomes sufficient to maintain their families and confined to low rental areas, many low-income female heads of families must lead severely limited lives, trying simply to stay above the starvation level. This conclusion is further supported by data from the Fairbanks Impact Information Center which indicate that from 1973 to 1976 the proportion of food stamp recipients who represented female-headed families rose from 45 percent of all families to 72 percent of all families in Fairbanks receiving food stamps.[57]

Race and Female Family Heads: While the over-all mean family income for all female headed families is $6,999, Native families have a substantially lower income. Native female-headed families had a mean family income of only $4,363 in 1970, compared with $7,955 for non-Native female headed families and $8,091 for Native male-headed households. While Native females make up 27 percent of all female heads of families in Alaska, they comprise 39 percent of all poverty level female-headed families. And incomes of female-headed families are substantially below that of male-headed families in this poverty population--for female-headed families, both Native and non-Native, mean family incomes in 1970 were under $2,000. In Anchorage, too, Native female-headed families had substantially lower mean family incomes than did non-Native female-headed families. In 1970, while all female family heads had a mean income of $8,064, Native female family heads averaged only $5,057.[58]

As Dr. Martha Wilson has suggested (see Chapter IV - Women and Physical Health), the relationship between poverty and malnutrition in Alaska is both direct and serious. Children raised in severe poverty are known to suffer damage which is rarely compensated at older ages. Their school work suffers, their resistence to disease is impaired, their full functioning both as children and later as adults is severely limited. Yet with Alaska prices, it is impossible to believe that an annual income of $2,000 will permit adequate nutrition even for a single person, unless supplemented substantially by subsistence skills. But most female-headed families contain at least one child, frequently many more, and most do not have the time or equipment necessary for significant subsistence activities.

Large Female-Headed Families. There is a strong relationship between large female-headed families and poverty. Over 50 percent of female-headed households with three or more children were in poverty, compared with only 15 percent of female-headed families with no children under age eighteen. Among widows with one or more children, close to 40 percent were in poverty (Table 28). As was noted earlier in reference to our survey of housewives, one reason for the poverty of these large female-headed families is the increased housework and child care necessary in large families. Especially where small children are still at home, women who are widowed or divorced experience many difficulties in working outside the home. Day care and transportation costs are prohibitive without a relatively high pay check. But most women cannot command the high pay necessary to afford both day care and transportation costs. Even among middle-income women who are widowed or divorced, those with small childrn are often forced to apply for welfare benefits because the low incomes they might earn cannot compensate for the costs of working, when child care, transportation and other expenses are deducted. An illness or any other sudden financial difficulty often throws these women, already on the margin of poverty, into desperate financial circumstances.

Table 28. Poverty Status in 1969 of Families in Alaska by Number of Related Children Under 18 Years of Age, and Sex of Household Head, 1970

	All Families		Families with Income Below Poverty Level					
			Families with Female Heads				Families with Male Heads	
			Total		Widowed			
	Number	Percent	No.	Percent	No.	Percent	Number	Percent
All Families	6223	9.3	1504	37.1	400	34.5	4719	7.5
No related children under 18	1032	5.2	98	14.8	73	21.6	934	4.8
1-2 related children under 18	2180	8.0	741	35.4	210	40.5	1439	5.8
3 or more children under 18	3827	19.6	665	51.0	117	38.9	2346	12.9

Source: U.S. Department of Commerce, Bureau of the Census, Detailed Characteristics, Alaska, 1970 PC(1)-D3, Table 208, p. 3-425-428.

Divorced Women. Although divorced women are much more likely to work than are other women (80 percent were working in 1970 in Alaska), the low wages paid in most traditionally female occupations rarely come close to their former incomes as wives of male earners. The swift descent into poverty or near poverty is one of the crises virtually all divorced women and their families face. Studies of the female contribution to total family income indicate that the average working wife contributes about 27 percent to total family income if she works. But with divorce, this 27 percent of total family income often becomes the total family income, since an average of only 44 percent of all divorced women with children are awarded child support and of this 44 percent only 45 percent regularly receive payment from their ex-husbands.[59]

Table 29. Summary of Indicators from a Random Sample of Divorce Cases Filed with the Anchorage Child Support Agency, December, 1976

Average monthly child-support payment owed by court order	$166.56
Average monthly amount paid to date	64.02
Average amount paid in 1976 to date	736.28
Average amount in arrears per month for 1976	109.78
Average amount in arrears of divorces since 1970	1283.00
Average Number of Children per divorce	1.75
Percent remarried (having different last names)	32.2%
Percent with both husband and wife in Alaska	36.7
Percent with wife out of state	37.0
Percent with husband out of state	13.0
Percent of wives leaving no address with agency	5.2
Percent of husbands leaving no address with agency	15.2

Number of cases = 270

Source: Compiled especially for the study from statistics provided by Phil Nash, Alaska Child -Support Enforcement Agency, December, 1976.

In Alaska, the divorce rate has been climbing steadily over the last five years to a rate of 7.1 per 1,000 population in 1975.[60] In Anchorage alone, 1,925 divorces had been filed by September, 1976, compared with 2,452 divorces granted in all of 1974 in Alaska as a whole. According to computer specialist Mel Martin of the Alaska Court System in Anchorage, there has been an 8 to 10 percent increase in the number of divorces filed in Anchorage over the last 3 years. Similar trends appear to have taken place in Fairbanks as well, according to Fairbanks Impact Information Reports.[61]

To gain some insight into the problems of divorced women in Alaska, we randomly selected close to 300 of the approximately 3,000 current cases of the newly formed Child Support Enforcement Agency in Anchorage. Table summarizes the findings for this sample of divorces. The results are striking: while the average monthly amount of child support ordered paid in these divorce cases was $166.56 per month, the average amount actually paid to date in 1976 (in December, 1976) was only $64.02 per month, more than $100 per month short. On an annual basis, while these women in divorce were legally awarded $1,998.72 per year in child support, they had only received $736.28 as of December, 1976.

It is not surprising to see in Table 29 that 37 percent of our sample of divorced women had already left the state of Alaska, while only 15 percent of their husbands had left. With so little child support income and low women's wages, many women cannot afford to continue living in Alaska. The results of this sampling of divorce cases in Alaska confirms the observation made by the National Commission on the Observance of International Women's Year. While the economic status of divorced men progresses, the economic status of their wives usually declines with divorce.[62] With the limited support guaranteed through divorce, the declining status of the divorced mother is virtually assured.

As Joan Katz discusses in Chapter 4 of this report, the Child Enforcement Agency, although created in recognition of the need for more adequate follow-through in child-support cases, is seriously underfunded. Without more adequate funding, the ability of this new agency to meet the real needs of divorced women is highly questionable.

The Robert Nathan study entitled "The Cost of Living in Alaska and Federal Poverty Guidelines" suggests that federal poverty guidelines for Alaska be inflated to a factor of 60 percent to more accurately reflect the real cost of living in Alaska, especially in rural areas.[63]

Instead of the $6,880 poverty guideline for a basic four-person family, they suggest a more realistic $8,800 below which families would be considered poverty level. It is interesting to note that the mean family income of female headed families in Alaska in 1970 was $6,999 and in Anchorage it was $8,064 for female-headed families--both below this proposed poverty guideline.

Although we cannot accurately assess the current proportion of female-headed families in Alaska who would fall below these revised poverty guidelines, it is clear that well over half of all female-headed families would be defined as poor if the real costs of living in Alaska were the basis for determination. The problem of poverty goes beyond the suffering and saddened lives of these women and their children, however. Poverty not only degrades the individuals who must experience its anxieties and degradation, it reduces their productivity as both workers and parents, citizens and consumers. It shortens their lives and the lives of their children. The increased rates of illness, delinquency, violence and destructive behavior are all correlated with poverty conditions.[64] Surely Alaska has the wealth, the compassion and the intelligence to tackle the problem of poverty among female-headed families before they become part of a permanently dependent poverty population.

RECOMMENDATIONS

Labor Force Participation

In Alaska, as in the United States, women's rates of participation in the labor force are increasing. In fact, female rates of participation in the United States labor force are not expected to approach Alaskan women's 1970 rate of participation until 1990. Rates of increase in female labor force participation in Alaska and in the United States as a whole have been greatest for younger women, especially those under thirty-five, and for all married women, particularly married women with small children. Divorced women have maintained their high levels of labor force participation over the period, as have separated women.

While trends in labor force participation for women in the United States as a whole can be plotted over time with available data, a statewide analysis depends upon the Alaska Department of Labor's labor force statistics, which unfortunately are not tabulated by sex and minority status. Thus, the present study was limited by the Alaskan sex-specific data available for analysis. Our preliminary analysis used 1960 and 1970 Census data, a relatively small sample of all employers in Alaska who have one hundred or more employees and who report to the Equal Employment Opportunity Commission, and sample surveys of Anchorage and Fairbanks, among other sources. These fragmentary data sources do not permit definitive answers to many of the major questions of occupational segregation and discrimination in employment against women which need to be answered here in Alaska.

We recommend that the State Legislature direct the Alaska Department of Labor to record and report all labor force, employment and unemployment statistics by sex and minority status. We also recommend that the legislature authorize and sufficiently fund a full economic analysis based on these sex-specific and minority-specific data of women's employment, unemployment and labor force participation.

Part-time Employment

Women are much more likely than men to be employed part time. This is particularly true for women in the child-bearing and child-rearing years. The number of part-time jobs in Alaska is insufficient to meet the demand expressed by many women interviewed, including 75 percent of the housewives in our survey. We recommend that the state encourage job-sharing and other innovative efforts aimed at expanding the number and variety of part-time jobs in all levels of government.

Day Care

Day care is either too expensive or virtually unavailable for many working women or those who desire employment. In Anchorage alone, of the estimated 17,000 children 13 years of age or younger with working mothers, 20 percent (an estimated 11,000 children) are without day care. Over 30 percent of our sample of housewives said their children would need day care if they were to work. The present demonstrated demand for day care requires immediate action. We recommend that the State Legislature immediately consider significant increases in day care funding.

We also recommend that the State Legislature fund a study of the costs and benefits of increasing both part-time employment opportunities and day care to accomodate the demand of working women and women desiring employment.

Unemployment

While the number of women employed in Alaska has tripled between 1970 and 1975, according to the Equal Employment Opportunity Commission data on Alaska's major employers, women's share of total employment and, in particular, their share of blue collar employment, appears to have declined recently. While female participation in blue collar employment was increasing, women's share of total blue collar employment, as measured by the Equal Employment Opportunity Commission reported employment, dropped sharply in 1975. With the fragmentary data we have, we cannot establish whether the women who obtained jobs on the pipeline project simply relocated from blue collar work in other areas or whether they represent a significant increase in the total pool of female blue collar workers. Anchorage and Fairbanks survey data suggest no major shift of female workers into blue collar employment. The Equal Employment Opportunity Commission sampling of major employers shows that male blue collar employment in 1975 doubled that of 1974, but that female blue collar employment only increased slightly. Therefore, the proportion of female workers declined to 1970 levels. Equal Employment Opportunity reports from state government show a slight absolute decline in female employment in state government.

Because women have experienced discrimination and lack of opportunity historically, and because the fragmentary data we have considered point to continued and perhaps heightened discrimination with Alaska's transition to a non-pipeline stimulated economy, we recommend that a state monitor be appointed to assure the equitable distribution of jobs to all eligible workers regardless of sex, race or other characteristics.

Occupation

Women in Alaska are concentrated in three occupational categories--the clerical, service and low-status professional groups. While more women have entered the labor force, most of the increase in female participation has been absorbed by these three occupational groups, continuing the high degree of segregation found in 1960 and 1970. More recent data from the Equal Employment Opportunity Commission and from the 1975 and 1976 community surveys conducted in Anchorage and Fairbanks indicate very little change in the respective over-all occupational distribution of women. While the female occupational structure on the pipeline project does appear to have shifted in 1976 with improved opportunities in blue collar occupations, this change is not substantiated in either the Equal Employment Opportunity reports nor in the recent Fairbanks and Anchorage surveys. A more detailed analysis of recent employment trends should be undertaken to encompass these conflicting findings.

The female share of managerial positions (5-6 percent) has not changed since 1960. But there are some indications that the type of management positions held by women in Alaska has changed. For example, in 1970 there were fewer women managers in government and more women managers of restaurants or other services. Women in Anchorage are less likely than men to hold managerial positions, while in Fairbanks administrative positions are more equitably distributed between men and women.

In the field of education, women are almost excluded from top administrative posts although they comprise a majority of professional employees. In the medical and justice systems, women appear to experience greater equality in top level positions than exists in the educational field. Female civilian employees of the U.S. Army and U.S. Air Force, female employees of state government and female employees of the U.S. Fish and Wildlife Service are all heavily concentrated in low pay, low grade occupations. Female managers on the Alyeska pipeline project are a small proportion of all managers.

In the professions, women are concentrated in low status professional occupations and experience a significant pay differential in all fields we have considered. Women comprise only 25 percent of all state government professionals. Equal Employment Opportunity Commission data for 1970 through 1975 on Alaska's major employers indicate that the female share of professional employment was 25 percent in 1970, increased to slightly over 30 percent of all professionals in the 1973-74 period, then dropped to 21 percent of the professionals reported in 1975.

We recommend that the State Legislature support creation of a State Salary Commission or similar agency to review job classifications in all areas of employment and to recommend timetables for the implementation of non-discriminatory pay schedules, promotional practices and other employment practices. Special attention needs to be paid to patterns of discrimination found in the Department of Education and salary and promotional opportunities available within the clerical field.

We also strongly support additional funding for the Alaska Human Rights Commission to increase its enforcement effectiveness in dealing with sex bias and other forms of employment discrimination.

Poverty

The special needs of female-headed households in poverty and methods of reducing or preventing higher levels of dependency on welfare and other state services need to be investigated. Methods of increasing the availability of on-the-job training and subsidized classroom training for female heads of families need to be investigated. The alternative to these programs appears to be an increasing number of female heads of household and their children on welfare and in poverty. *We recommend that a study of the poverty problem of female-headed households in Alaska be completed as soon as possible*.

Divorced Women

Divorced women who are family heads suffer severe economic difficulties. A random sample of child support cases drawn from the newly formed Child Support Enforcement Agency's files indicates that average support recieved by these divorced women with children is less than one-half of court-ordered support, which is in turn typically far below actual need. Cases before the Child Support Enforcement Agency include all court-ordered support divorce cases recently processed in Anchorage, as well as problem cases from previous years. The average monthly amount paid our sample of women was $64.00 per month, while the average amount court-ordered was $166.56. Since 1970, the average arrearage in child support for our sample of 270 divorce cases was $1,283.00.

We recommend that the Child Support Enforcement Agency receive the necessary funding to assure effective enforcement of court-ordered child support. Both considerations of justice and the potential savings in state poverty related service funds expended for divorced mothers suggest that increased funding of this agency would be in the best interests of the state.

Minority Women

Since minority women are more heavily concentrated in lower paying clerical and service jobs, it is not surprising that minority female heads of household are particularly vulnerable to the problems of poverty. While Native males in particular appear to have benefited from greater opportunity on the trans-Alaska pipeline project, this does not appear to have been the case for Native females. Minority females hold only 5 percent of all state government jobs. From 1970 to 1975, minority employment statewide appears to have been about 12 percent of total employment, based on the Equal Employment Opportunity Commission sample of employers. Minority female employment ranged from 3 percent to 6 percent during these years.

We recommend that greater efforts be made at all levels of state government to recruit and train on the job minority women. We also recommend that additional funding to the State Human Rights Commission's enforcement efforts be provided, as well as additional funds for public education concerning the rights of minority women.

Footnotes

1. U.S. Department of Commerce, Bureau of the Census, *A Statistical Portrait of Women in the U.S.*, Current Population Reports, Series P-23, No. 58, pp. 19-20.

2. *A Statistical Portrait of Women in the U.S.*, pp. 15-16.

3. *1975 Manpower Report of the President*, including reports by the U.S. Department of Labor and the U.S. Department of Health, Education and Welfare, 1975, Chapter 3 "The Changing Economic Role of Women," pp. 55-75; *A Statistical Portrait of Women in the U.S.*; National Commission on the Observance of International Women's Year "To Form a More Perfect Union." *Justice for American Women*, Washington, D.C.: U.S. Government Printing Office, 1976, pp. 57-73, 303-310, 337-340.

4. In 1960, 4905 married women with children under six were in the labor force. In 1970, 7059 married women with children under six were in the labor force. See Bureau of the Census, *Detailed Characteristics, Alaska, 1960*, Table 116, p. 3-163 and *Detailed Characteristics, Alaska, 1970*, Table 165, p. 3-273.

5. Exceptions to these Equal Employment Opportunity Commission EEO-1 reporting requirements tend to broaden somewhat the number of employers required to file annual reports. Companies which have small branch offices in Alaska but in which the parent company employs over one hundred employees still must file. All federal contractors of fifty or more employees or prime contractors of contracts in excess of $50,000 also must file. All firms serving as a depository of federal funds must file. Finally, all financial institutions who are issuing or paying agents for U.S. Savings Bonds must file EEO-1 reports. See U.S. E.E.O.C., Standard Form 100, *Employer Information, EEO-1 Instruction Booklet*, no date. State and local government, primary, secondary and higher educational facilities file other EEO reports and are not included in the EEO-1 totals.

6. See for example recent editorials by Bob Richards, Alaska economist, in the Sunday *Anchorage Times*, including January 9, 1977; and "Pipeline Completion," *Alaska Economic Trends*, November, 1976; and "Alaska's Economy 1976," *Alaska Economic Trends*, February, 1976.

7. This conclusion is suggested as well in the Alaska Department of Labor's Alaska Annual Planning Report, 1976, June, 1976 and the Anchorage Annual Planning Report, July, 1976 for FY-77.

8. "Occupational Employment Forecast 1976-78," Alaska Economic Trends, July, 1976 and Alaska Annual Planning Report, 1976, pp. 18-21.

9. Katherine E. Walker, "Household Work Time: Its Implications for Family Decision," J. Home Economics, October, 1973, pp. 7-15. I am indebted to Dr. Gene Eaton of Anchorage for these references.

10. See for example Cynthia Fuchs Epstein, Woman's Place: Options and Limits in Professional Careers, Berkeley, Calif.: University of California Press, 1970.

11. In our sample of housewives, for example, 55 percent stated that they were responsible for all of the housework and 56 percent stated that their responsibility for housework would not change if they worked.

12. A Statistical Portrait of Women in the U.S., pp. 27 ff, 1975 Manpower Report of the President, Chapter 3, pp. 69-74.

13. Alaska Annual Planning Report, 1976, p. 46.

14. Personal communication from Therese Donnelly, Program Director, Anchorage Day Care Assistance Program, November 1, 1976.

15. Personal Communication from Margaret Wolfe, Director, Anchorage Municipality Mental Health Program, October 28, 1976.

16. Sam Granato, Director, Alaska Department of Health and Social Services, Division of Social Services.

17. Anchorage Annual Planning Report, 1976; Department of Health and Social Services, FY-76 Issue Analysis: The State of Alaska's Role in Day Care, Juneau: November, 1974.

18. FY-76: Issue Analysis: The State of Alaska's Role in Day Care.

19. Valerie Kincade Oppenheimer, "The Sex-labelling of Jobs," Industrial Relations 7(3):219-234, 1968, discussed in Helen Astin et. al., Sex Roles: A Research Bibliography, Washington, D.C., National Institute of Mental Health, U.S. Government Printing Office, 1975.

20. See Dorothy Jones' discussion of Alaska high school students' educational aspirations in the Women and Education chapter of this report.

21. National Opinion Research Center, "Jobs and Occupations: A Popular Evaluation," in Reinhard Bendix and Seymour Martin Lipset (eds.), Class, Status and Power: A Reader in Social Stratification, Glencoe: The Free Press, 1953, pp. 411-26.

22. Personal tabulations by the author of the professional-technical occupational category from the Fairbanks Community Survey.

23. Andrea Tyree and Judith Treas, "The Occupational and Marital Mobility of Women," American Sociological Review, Vol. 39, No. 3, June, 1974, pp. 293-302; Statistical Portrait of Women in the U.S., Table 8-4, p. 38.

24. Robert Nathan Associates, Inc., 2(c) Report: Federal Programs and Alaska Natives, Volume I, Summary, Anchorage, 1975.

25. National Commission on the Observance of International Women's Year To Form a More Perfect Union, "Federal Laws Prohibiting Sex Discrimination and How to Use Them," p. 352-354.

26. Personal Communication from Cara Peters, Chairperson, Fairbanks N.O.W. Employment Compliance Task Force, January 6, 1977.

27. A Statistical Portrait of Women in the United States, Chapter 10, pp. 47-54; Heather Ross, "Poverty: Women and Children Last" in Jane Roberts Chapman and Margaret Gates (eds.) Economic Independence for Women: The Foundation for Equal Rights, pp. 135-140.

28. Cara Peters, "Alaska's 8 Percent Construction Goal for Women," (mimeographed) Anchorage, 1975.

29. Shirlee Briggs, "A Study of Entry Level Experience Requirements and Advancement Opportunities in Clerical/Secretarial Positions with the State of Alaska," (paper) Alaska Department of Education, Equal Employment Opportunity Task Force, October, 1974.

30. Dianne Bergstrom, APEA State Headquarters, Personal Communications, November 22, 1976; Janice Hollender, "Women and the Labor Market," Alaska Department of Labor, Alaska Economic Trends, December, 1975, p. 1-2.

31. Personal statements collected by Dianne Bergstrom, APEA State Headquarters.

32. United States Department of Interior, Fish and Wildlife Service, Alaska Area Fish and Wildlife Service E.E.O. Report for Fiscal Year, 1976.

33. Alaska Court System 1975 Annual Report, Anchorage, April 8, 1976; letter dated August 3, 1976 from Mary Alice Miller, District Court Judge, Fairbanks.

34. See Chapter IV, Women and Physical Health, of this report.

35. Personal Communication from Mr. Bob Harvey, Providence Hospital, 1976. Statistics are as of April, 1976.

36. Alaska State Medical Association 1976 Health Directory, Anchorage, 1976.

37. Larry E. Sutter and Herman Miller, "Income Differences Between Men and Career Women," in Joan Huber (ed) Changing Women in a Changing Society, University of Chicago Press, 1973, p. 209.

38. John McNeil and Douglas Sater, "Recent Changes in Female to Male Earnings Ratios" cited in A Statistical Portrait of Women in the U.S., U.S. Department of Commerce, Census Bureau, Current Population Survey, Series P-23, No. 58, U.S. Government Printing Office, p. 45.

39. Martha Griffiths, "How Much is a Woman Worth?" Economic Independence for Women: A Foundation for Equality, Sage Pub., Chapmen (ed), 1976, p. 23.

40. Ibid., p. 25.

41. Ibid., p. 25ff.

42. Ibid., p. 26.

43. The United States Law Week, Supreme Court Opinions, Volume 45, Number 22, December 7, 1976.

44. United States Department of Labor, Women's Bureau, "Why Women Work," July, 1976.

45. National Commission on the Observance of International Women's Year, To Form a More Perfect Union, pp. 349-351.

46. Ibid., p. 351-352.

47. Ibid., p. 352-354.

48. Alaska Statute 18.80. State Commission for Human Rights.

49. National Commission on the Observance of International Women's Year, To Form a More Perfect Union, "Strong Laws - Weak Enforcement," pp. 48-56.

50. Alaska, Office of the Governor, Commission for Human Rights, 1975 Annual Report, Anchorage, 1976; Personal Communication from Niel Thomas, Director, January, 1977.

51. 1975 Manpower Report of the President, Chapter 3; "Women at Work, Newsweek, December 6, 1976, pp. 68-79; Statistical Portrait of Women in the U.S., Chapters 7, 8, and 9.

52. Heather L. Ross, "Poverty: Women and Children Last" in Jane R. Chapman (ed) Economic Independence for Women: The Foundation for Equal Rights, Sage Publications, 1976, pp. 137-154.

53. Robert R. Nathan Associates, Inc., The Cost of Living in Alaska and Federal Poverty Guidelines, Washington, D.C., 1976.

54. Patricia L. Dolezal and Richard L. Ender, 1976 Census Update of the Anchorage Municipality, University of Alaska, Anchorage, Anchorage Urban Observatory, September, 1976, Table III-3.

55. Ibid., Table I-23.

56. U.S. Commission on Civil Rights, Women and Poverty, Washington, D.C.: U. S. Government Printing Office, 1974; Heather Ross, "Poverty: Women and Children Last" in Jane R. Chapman (ed) Economic Independence for Women.

57. Personal Communication from Sue Fison, Impact Information Officer, December, 1976.

58. U. S. Department of Commerce, Bureau of the Census, Summary Manpower Indicators, Anchorage 1970 Census, Table 11.

59. National Commission on the Observance of International Women's Year, To Form a More Perfect Union," p. 338.

60. Alaska Department of Health and Social Services, Division of Public Health, Health Information Systems Section, Alaska Vital Statistics, 1975, November 20, 1976, Table 27, p. 36.

61. Fairbanks North Star Borough, Impact Information Center Reports, periodic references to divorce during 1975 and 1976.

62. "Summary, Market Opinion Research Poll of 1522 U.S. Women - 1975," National Commission on the Observance of International Women's Year, To Form a More Perfect Union, pp. 102-109.

63. Robert Nathan Associates, Inc., The Cost of Living in Alaska and Federal Poverty Guidelines, Washington, D.C., June 30, 1976.

64. "Double Burdens," National Commission on the Observance of International Women's Year, To Form a More Perfect Union, A Statistical Portrait of Women in the U.S., Chapters 10, 12, 13 and 14.

Women and Health

I Mental Health
II Physical Health

Dorothy M. Jones

CHAPTER I

WOMEN AND MENTAL HEALTH

Dorothy M. Jones

In this chapter, we deal with six topics relating to women's mental health status:

- Sex differences in access to mental health services;
- Sex differences in incidence of psychiatric disorders;
- Sex differences in patterns of psychiatric diagnoses;
- Crises of women associated with mental health problems, namely divorce and wife battering;
- Attitudes of mental health professionals toward special problems of women; and
- Sex bias in psychiatric ideology.

The major sources of Alaska data for this chapter are:

- Alaska Division of Mental Health, Alaska Area Native Health Services, and Alaska Hospital and Medical Center statistics on incidence of psychiatric disorders and psychiatric diagnoses by sex;
- Alaska Office of Alcoholism statistics on number of persons in alcohol rehabilitation facilities by sex;
- Dr. Robert F. Kraus, statistics on suicide by sex;
- Alaska Women's Resource Center clients;
- Alaska Division of Mental Health, Mental Health Needs Assessment; and
- Survey of mental health professionals in Anchorage.

Introduction

Males and females differ in their patterns of psychiatric and emotional disorders, with men predominating in active disorders--alcoholism, suicide, and crime--and women predominating in disorders of mood--depressive and neurotic reactions. One reason for this difference appears to be the different socialization of the sexes. Males' socialization emphasizes independence, action, assertiveness, achievement, orientation to the external world of work and politics, and emotional control. The training of females differs strikingly. It stresses dependency, passivity, compliance, an orientation to the inner world of self and family, and emotional expressiveness.

A second reason for differences in patterns of psychiatric disorders appears to be the different social-economic positions of men and women. Over half of the women in the United States are housewives not employed outside the home; employed women usually work at low status, low income jobs. And women participate minimally as political and administrative decision makers. As money and political-administrative leadership represent power and control in our society, women are far more helpless and powerless than men in both the family and the world outside the family.

These sex differences in socialization and social position appear to shape differences in the way males and females experience and express emotional stress. Women are more likely than men to acknowledge and dwell in emotional stress. They are apt to express stress through tears and talk, while men are more likely to remain silent about their problems. Women are more likely to seek help with emotional problems, while men are more likely to deny the need for outside help.

Despite the mental health implications of these differences between the sexes, mental health institutions in Alaska appear to pay them little heed. This is suggested, in part, by their frequent failure to keep records by sex. The mental health surveys and needs assessments we consulted did not analyze statistics by sex.[1] Some of the outpatient and inpatient psychiatric facilities we consulted also fail to keep statistics by sex. This gap in mental health information posed problems in the analysis undertaken here. It was partly overcome by cooperation from several mental health agencies that did special analyses for the study or provided access to their records for project staff to analyze.[2]

Mental Health Delivery System

The mental health delivery system in Alaska consists of five components. One is psychiatric facilities and services provided by the Indian Health Service of the United States Public Health Service (referred to as Alaska Area Native Health Service). This service furnishes free care to Alaska Natives in its seven service units in the state. The main unit, located in Anchorage (referred to as Alaska Native Medical Center), provides most of the psychiatric care although social workers and occasionally psychologists provide some psychiatric care in other service units.*

The second component is Alaska Psychiatric Institute in Anchorage, funded and administered by the State. Alaska Psychiatric Institute provides inpatient services for psychiatric patients on a sliding fee scale.

The third mental health delivery system is municipal community mental health centers of which there are fourteen in the state.** Some of these clinics are administered by the state pending development of municipal management capacity. The mental health centers provide outpatient psychiatric care on a sliding fee scale.

The fourth component is the military mental health program which includes inpatient and outpatient care.

Finally, there is the private sector which includes private psychiatric clinics, the major one of which is Langdon Psychiatric Clinic in Anchorage, and private outpatient care by psychiatrists, psychologists, and a few social workers not associated with clinics.

Access to Services

As previous sections have shown, women face poverty far more frequently than men. Their poverty affects their ability to secure certain mental health services. Health insurance plans for state and federal employees in Alaska cover psychiatric treatment, usually at the rate of $15 a visit for a limited number of weeks. But this is inadequate considering that private therapy, which provides the majority of outpatient treatment in the state, costs about $50 to $60 an hour. Even with insurance, many women with middle-range incomes are not likely to be able to afford the difference between the $15 insurance reimbursement and the $50 to $60 an hour charged by psychiatrists. It is likely, then, that women have less access to private psychiatric treatment than men.

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*The other six Indian Health Service facilities are located at Bethel, Barrow, Tanana, Kotzebue, Mt. Edgecumbe, and Kanakanak.

**These are located at Anchorage, Fairbanks, Kodiak, Gateway(Ketchikan), Barrow, Seward, Bethel, Homer, Kotzebue, Nome, Sitka, Unalaska, Cordova, and Kenai.

Lack of money is not the only deterrent to use of mental health services. Geography is another. Rural residents in Alaska, both male and female, have far less access to mental health services than urban residents. While certain professions, e.g., social workers and school counselors, are distributed relatively proportional to the population, key mental health professionals are concentrated in Anchorage. Nearly three-fourths of psychiatrists and psychologists are based in Anchorage (Table 1). Psychiatric facilities are similarly concentrated in the more urban areas of the state, although the United States Public Health Service in its field service units and community mental health centers often offers the services of social workers and, at times, psychologists.

Table 1. Location of Mental Health Personnel.

	Percent State Population	Psychiatrists	Psychologists	Social Workers*		School and University Counselors	Counselors		
				NASW	DSS		Vocational	Drug	Alcohol
Anchorage	43.9	72.2	71.4	55.3	35.5	37.6	72.4	61.5	16.3
Fairbanks	17.2	13.9	17.9	8.7	21.1	12.1	13.8	38.5	34.9
Juneau	5.8	5.6	0	13.3	6.7	6.7	6.9	0	4.6
Other Places	33.1	8.3	10.7	22.7	36.7	43.6	6.9	0	44.2

Source: Jim Price, Alaska Mental Health Needs Assessment, Alaska Department of Health and Social Services, Divison of Mental Health, Community Mental Health Services, 1976, pp. 106-108.

*NASW is an abbreviation for National Association of Social Workers. DSS is an abbreviation for Division of Social Services, which is public welfare.

The imbalance in rural-urban services can exacerbate the stress experienced by people with psychiatrc disorders. In addition to their problem, they must also face the stress of leaving home for treatment. This stress may be especially acute for mothers who must also grapple with problems of child care.

Sex Differences in Incidence of Psychiatric Disorders

A mental health survey published in 1976 estimated that 8,712 persons recieved mental health services in Alaska.[3] Our estimate, which is based on incomplete figures and excludes military recipients, indicates a larger number-- 9,411 (Table 2).

Table 2. Number of Recipients of Mental Health Care in Alaska
(excluding military recipients)

	Total
Psychiatric Hospital Inpatients	
Alaska Psychiatric Institute[a]	741
Alaska Hospital and Medical Center[b]	238
Alaska Native Medical Center[c]	438
Fairbanks Memorial Hospital[d]	516[d]
Psychiatric Clinic Outpatients	
Community Mental Health Centers[a]	2429
Alaska Native Medical Center[b]	784
Langdon Clinic[e]	1440
Private Practitioners not in Clinics	2825[f]
Total	9411

a. Linda Smith, Statistician, Alaska Department of Health and Social Services, Division of Mental Health

b. Sharon Anderson, Medical Records, Alaska Hospital and Medical Center, Anchorage. Includes Alaska Clinic . This hospital formerly known as the Anchorage Community Hospital.

c. Ted Vieira, Chief of Office of Systems Development, Alaska Area Native Health Service, Anchorage.

d. Admissions, Fairbanks Memorial Hospital, extrapolated from semi-annual figures.

e. Dr. Ray Langdon, Langdon Clinic, Anchorage.

f. This is an estimate derived on the following basis. There are 20 psychiatrists and 31 psychologists in the State. We assume conservatively that half are in private office practice. Using Fuld's (1972) estimate that the nine private practice psychiatrists in Anchorage saw an average of 113 patients per year, gives an estimate of 25 practitioners times 113 patients per year for a total of 2825 patients. Deena Fuld, et al. A Study of Mental Health Services in Anchorage, Masters Thesis, University of Alaska, 1972, p. 118.

This figure represents 2.3 percent of the estimated 1975 state population of 404,634.[4] Current estimates of need for services are considerably higher. The State Division of Mental Health cites estimates of need at about 10 percent.[5] Surveys in other places suggest a much higher level of need. The most thorough epidemiological study of mental illness in North America, Leighton's study of Sterling County, Nova Scotia, found that 24 percent to 42 percent of the adult population had significant psychiatric impairment.[6]

Research by Gove and Tudor found that female rates of mental disorder are higher than male rates.[7] They based this finding on analysis of community mental health surveys, admissions to outpatient and inpatient psychiatric facilities, and caseloads of private therapists. Recent statistics, however, indicate that the incidence of male and female psychiatric disorders differ in outpatient and inpatient facilities, with males having higher rates in outpatient care and females having a slightly higher proportion in inpatient care (Table 3).

Table 3. Psychiatric Inpatients and Outpatients, Alaska 1976, U. S. 1973, 1971.

	INPATIENTS						OUTPATIENTS			
	Alaska[a]					U. S.[b]	Alaska			U.S.[d]
	API	ANMC	AHMC	FMH	TOTAL	1973	Clinics[c]	Non-Clinic	TOTAL	1971
Total	741	438	238	516	1933	-------	3869	2825	7478	-------
Male	532	264	134	------	-------	-------	1863	-------	-------	-------
Female	209	174	104	------	-------	-------	2006	-------	-------	-------
Percent Female	28.2%	39.7%	43.6%	------	-------	47.1%	51.8%	-------	-------	52.1%

source: a. Linda Smith, Statistician, Alaska Department of Health and Social Services, Division of Mental Health; Sharon Anderson, Medical Records, Alaska Hospital and Medical Center; Ted Vieira, Chief of Office of Systems Development, Alaska Area Native Health Service.
b. U. S. Department of Health, Education, and Welfare, Survey and Reports Branch, Statistical Note 112, Table 5b, 1975, includes state and county hospital psychiatric patients.
c. This includes Community Mental Health Centers and Langdon Psychiatric Clinic. Data for Alaska Native Medical Center outpatients were not available by sex.
d. U. S. Department of Health, Education, and Welfare, Public Health Service, Health Resources Administration, Publication No. (HRA) 76-1232, Table CD.1.68, 1975, includes patients in private practice locations and Community Mental Health Clinics.

abbreviations: API: Alaska Psychiatric Institute; ANMC: Alaska Native Medical Center; AHMC: Alaska Hospital and Medical Center; FMH: Fairbanks Memorial Hospital.

This difference may be due to the propensity of females to seek outpatient care in early stages of their disorders and the tendency of men to deny or postpone care until their disorder becomes serious enough for psychiatric hospitalization.

Alaska shows a similar pattern in inpatient facilities where males outnumber females (Table 3). The sex difference is less clear-cut in outpatient facilities. At the major outpatient facility in the state, community mental health centers, females outnumber males, but at Langdon Psychiatric Clinic males have a slightly higher proportion. The larger proportion of males at Langdon Psychiatric Clinic may reflect a class difference, that is, the middle and upper class men who can afford the relatively high fees at Langdon Clinic may be more prone to seek outpatient psychiatric help than working class men.

Marital Status

Female and male psychiatric patients differ in several characteristics. One of the most significant is marital status. At Alaska Psychiatric Institute and community mental health centers, the two facilities for which data on marital status are available, over half of the men have never been married compared to a small minority of women. Less than a third of the men are currently married compared to over half of the women at mental health centers and nearly half of the women at Alaska Psychiatric Institute (Table 4).

Table 4. Marital Status of Patients at Alaska Psychiatric Institute and Community Mental Health Centers, FY-75.

	API		CHMC		TOTAL	
	N=199 Female Percent	N=396 Male Percent	N=646 Female Percent	N=566 Male Percent	N=845 Female Percent	N=962 Male Percent
Never Married	18.1	52.8	21.1	53.2	20.3	53.0
Married	48.2	24.8	56.8	30.7	54.8	28.3
Divorced	11.1	2.0	1.5	0.7	3.8	1.2
Unknown	3.0	2.1	1.5	2.5	1.9	2.3
Total	100.0	100.0	100.0	100.0	100.0	100.0

source: Linda Smith, Statistician, Alaska Department of Health and Social Services, Division of Mental Health.

The rootlessness associated with the unmarried state for men has long been recognized in social science literature, and indeed, national literature indicates that single men are at higher risk for psychiatric disorders than married men.[8] The rootlessness is even greater for Native than white men. Table 5 shows that 73.6 percent of Native men at Alaska Psychiatric Institute have never been married compared to 40 percent of white men; and 86.5 percent of Native men are unmarried compared to 70.4 percent of white men. At community mental health centers, 66 percent of Native men have never been married compared to 51 percent of white men.

Table 5. Marital Status by Race and Sex, Alaska Psychiatric Institute and Community Mental Health Centers, 1975.

	Alaska Psychiatric Institute				Community Mental Health Centers			
	Female		Male		Female		Male	
	Native N-55 percent	White N=139 percent	Native N=148 percent	White N=230 percent	Native N=67 percent	White N=556 percent	Native N=88 percent	White N=471 percent
Never Married	20.0	17.3	73.6	40.0	31.3	20.7	66.2	51.4
Married	36.4	52.5	13.5	29.6	52.3	57.2	23.5	32.1
Divorced	18.2	20.1	8.8	26.1	13.4	19.2	4.4	14.2
Widowed	21.8	7.2	2.0	2.2	3.0	1.4	1.5	0.6
Unknown	3.6	2.9	2.0	2.1	0	1.5	4.4	1.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

source: Linda Smith, Statistician, Alaska Department of Health and Social Services, Division of Mental Health.

Native men's rootlessness is associated with a number of factors--migration, high unemployment rates, and difficulty in finding wives in a situation of culture contact. Investigators of Native culture have pointed to the difficulty Native men encounter in attracting wives; Native women may be more attracted to the prestigious white man.[9]

Native women are not unscathed by these mixed marriages. A mental health professional who works with Natives asserts that marriage to white men is frequently associated with psychiatric problems of Native women.[10] In addition to the stress created by a confused ethnic identity, Native wives often face exploitation or desertion by their white husbands.

While the unmarried status appears to create the greatest psychological stress for men, national studies reveal that it is the married status which produces the greatest stress for women. A national survey of common indicators of psychological stress shows that married women have higher rates of psychiatric stress than single women and that the non-working housewife has the highest rates of stress of all.[11] The majority of women at community mental health centers and nearly half at Alaska Psychiatric Institute are married, and nearly 80 percent at both facilities have been married at some time in their lives (Table 3).

Several recent investigators consider the emotional problems of married women to be inherent in the structure of the family.[12] At marriage, women face abandoning their autonomy and aspirations in the interests of their husbands' careers and raising the children. When the children are grown, women face the trauma of loss of meaningful roles, a problem that is exacerbated if husbands lose sexual interest in them. If the married woman works, she faces the stress of two jobs, as homemaker and worker. Studies show that working wives still carry major responsibility for child rearing and housework.[13] A survey of working wives described in the employment and income section shows that working wives spend sixty-six to seventy-five hours a week doing the work of their jobs and homes.

In addition to the usual problems, married women in Alaska face some distinct problems. One is the stress associated with migration. Many Alaska married women are immigrants who move because of the demands of husbands' jobs, not because of their own interest in coming to Alaska. The move usually involves loss of extended family ties which is especially stressful for young mothers who had been accustomed to help and support from parents and other relatives.

Another problem distinct to married women in Alaska is cabin fever syndrome. Abbott and Kehoe's 1972 study of cabin fever in the Canadian north revealed that this syn drome especially affects housewives who may be virtually imprisoned in their houses during the long, cold, dark winters. These authors found that cabin fever syndrome can have serious consequences for women and their marriages.[14]

Age

Female psychiatric patients are not only more often married than male patients, but they also tend to be somewhat older (Table 6). These two factors may be related,

Table 6. Admissions by Age and Sex, Alaska Psychiatric Institute and Community Mental Health Centers, FY 1976.

	Alaska Psychiatric Institute		Community Mental Health Centers		Total	
	Female N=209	Male N=532	Female N=1311	Male N=1118	Female N=1520	Male N=1650
Under 10	0.5	0.7	3.3	5.4	3.6	3.9
10-17	8.1	7.9	13.6	15.6	12.9	13.2
18-24	23.0	35.2	22.2	24.6	22.3	28.0
25-34	27.7	26.7	31.0	30.7	30.5	29.4
35-44	18.2	15.1	17.5	11.4	17.6	12.5
45-54	12.9	10.3	8.5	8.4	9.1	9.0
55+	9.6	4.1	3.2	2.8	3.7	3.5
Unknown	0	0	0.7	1.1	0.4	0.5
Total	100.0	100.0	100.0	100.0	100.0	100.0
Median Age	27.3	31.6	26.4	28.5	26.7	28.7

source: Linda Smith, Statistician, Alaska Department of Health and Social Services, Division of Mental Health.

that is, the married women who are at high risk for psychiatric disorders may be older than the single men who constitute the majority of male patients. At Alaska Psychiatric Institute, the median age for females is 31.6 compared to 27.3 for males. At community mental health centers the age difference between the sexes is smaller, but women still tend to be older. When the figures are analyzed by race, the age difference between the sexes is even greater for whites at Alaska Psychiatric Institute; white females there have a Native females at Alaska Psychiatric Institute have a somewhat lower median age than Native males (Table 7), for reasons which are not apparent.

Table 7. Median Age by Race and Sex, Alaska Psychiatric Institute and Community Mental Health Centers, 1976.

	Alaska Psychiatric Institute				Community Mental Health Centers			
	Native		White		Native		White	
	Female	Male	Female	Male	Female	Male	Female	Male
Median Age	27.1	29.2	37.5	28.0	27.7	25.2	28.6	26.5

source: Linda Smith, Statistician, Alaska Department of Health and Social Services, Division of Mental Health.

Diagnostic Patterns

In addition to variations in age and marital status, female and male patients show differences in diagnostic patterns. In the three psychiatric facilities analyzed (Alaska Psychiatric Institute, community mental health centers, and Alaska Native Medical Center), males outnumber females by two to one in alcohol disorders (Table 8). A more drastic sex difference in alcohol disorders appears in State alcohol rehabilitation centers where the ratio of males to females is 3.6 (Table 9).

Table 8. Psychiatric Diagnosis by Sex, Alaska, 1976.

Diagnosis	Alaska Psychiatric Institute		Alaska Native Medical Hospital		Community Mental Health Centers		Total	
	Female N=222 percent	Male N=513 percent	Female N=174 percent	Male N=246 percent	Female N=792 percent	Male N=655 percent	Female N=1188 percent	Male N=1414 percent
Alcohol Disorder	12.6	23.6	55.2	84.6	2.0	5.0	11.8	25.7
Drug Dependence	1.3	2.1	1.7	0.4	0.8	2.1	1.0	1.8
Depressive and Affective Disorders	11.7	9.2	2.3	0.8	11.5	6.4	10.2	6.4
Schizophrenia	39.6	39.0	4.0	3.2	5.3	13.0	11.5	20.7
Organic Brain Syndrome	2.7	1.9	0	0	1.3	0.6	1.3	1.0
Other Psychoses	3.1	1.4	2.3	1.6	0	0.3	0.9	0.8
Other Non-psychotic Mental Disorders	10.8	12.1	20.1	6.5	30.6	20.2	25.8	14.8
Other	10.6	6.0	14.4	2.9	46.2	49.8	34.8	25.8
Mental Retardation	7.6	4.7	0	0	2.3	2.6	2.7	2.9
Totals	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

source: Linda Smith, Statistician, Alaska Department of Health and Social Services, Division of Mental Health.

Table 9. Persons Treated in Alaska Office of Alcoholism Programs, FY-76, by Sex and Place.

	Fairbanks Area		Anchorage Area		Juneau Area		Total	
	Female	Male	Female	Male	Female	Male	Female	Male
Number	98	315	333	1284	256	905	687	2504
Percent	23.7	76.3	20.6	79.4	22.0	78.0	21.5	78.5
Ratio Male/Female	3.2		3.9		3.5		3.6	

source: Lynette Ensor, Research Analyst, Alaska Department of Health and Social Services, Office of Alcoholism.

Analyzing these figures by race shows that Natives are over represented in alcohol disorders in all facilities. While Natives represent 15 percent of the state's population,[14a] they account for 38.7 percent, 57.4 percent, and 55.9 percent respectively of the alcohol patients at Alaska Psychiatric Institute, community mental health centers, and State Alcohol Rehabilitation facilities (Table 10).

Table 10. Alcohol Disorders by Race and Sex, in Alaska Psychiatric Institute, Community Mental Health Centers and State Alcohol Rehabilitation Centers, 1976.

	Alaska Psychiatric Institute	Community Mental Health Centers	State Alcohol Rehabilitation Centers
Female			
Native	9	8	415
White	19	7	251
Percent Native	32.1 %	53.3 %	62.3%
Male			
Native	49	12	1356
White	73	20	1068
Percent Native	40.2%	37.5%	55.9%
Total			
Native and White	150	47	3780
Native	58	20	1356
Percent Native	38.7%	57.4%	55.9%

source: Linda Smith, Statistician, Alaska Delartment of Health and Social Services, Division of Mental Health; Lynette Ensor, Research Analyst, Alaska Department of Health and Social Services, Office of Alcoholism.

The higher proportion of Natives diagnosed as having alcohol disorders, however, does not mean that Natives have higher alcoholism rates than whites. A 1973 study by the State Office of Alcoholism found that white alcoholism rates in Alaska are higher than Native.[15] One reason for the higher proportion of Native than white patients in alcohol rehabilitation facilities is cultural differences in drinking patterns. Native drinking tends to be much more visible than white drinking, and therefore the Native drinker is more likely than the white to come to the attention of social and rehabilitative agencies.

While males take the lead in diagnosis of alcohol disorders, females have the edge in diagnosis of affective-depressive disorders, which is primarily a disorder of mood and includes both psychotic and neurotic depressive reactions.[16]. At each of the three psychiatric facilities analyzed, female rates for depressive reactions are higher than male rates (see above Table 8). Females also appear to have a higher proportion than males in neuroses other than those included in affective-depressive disorders. These other neuroses are subsumed under and probably account for the major portion in the diagnostic category "other non-psychotic disorders." A larger proportion of women than men are diagnosed in this category except at Alaska Psychiatric Institute where the proportions are roughly equal.

Other than community mental health centers where more than twice as many men as women are diagnosed as schizophrenic, the two sexes have relatively equal proportions in this diagnostic category.

These different patterns of psychiatric diagnosis, where a significantly larger proportion of males than females have alcohol disorders, and a larger proportion of females than males have depressive and neurotic disorders, are characteristic of the psychiatric population in the United States (Table 11).

Table 11. Psychiatric Diagnoses by Sex, Alaska Psychiatric Institute, 1976; U. S. State and County Mental Hospitals, 1973.

	Alaska Psychiatric Institute		U. S. State and County Mental Hospitals	
	Female N=222	Male N=513	Female N=117,101	Male N=131,410
			(in thousands)	
Diagnosis Diagnosis	percent	percent	percent	percent
Mental Retardation	7.7	4.7	11.5	12.8
Alcohol Disorder	12.6	23.6	3.2	9.0
Drug Disorder	1.3	2.1	0.5	1.4
Organic Brain Syndrome	2.7	1.9	21.2	16.9
Schizophrenia	39.6	39.0	49.9	48.8
Affective and Depressive Disorders	11.7	9.2	8.2	3.3
Other Psychoses	3.1	1.2	2.0	0.8
All Other *	21.2	18.3	3.5	7.0

*All neuroses except for depressive neuroses are included in this category.

source: U. S. Department of Health, Education, and Welfare, Public Health Service, Survey and Reports Branch, Statistical Note 112, "Resident Population of State and County Mental Hospitals", United States, 1964-1973; Linda Smith, Statistician, Alaska Department of Health and Social Services, Division of Mental Health.

Suicide Rates

In addition to psychiatric diagnosis, the two sexes differ in other emotional disorders. One is in patterns of suicide. Data available since 1950, through the courtesy of Dr. Robert F. Kraus, shows that males in Alaska have higher suicide rates than females. Table 12 combines male and female suicides for the decades of the 1950's, 1960's, and the period 1970 to 1974. The ratio of male to female completed suicides ranges between 2.5 in the 1960's to 2.7 in the 1950's.

Table 12. Number of Male and Female Suicides in Alaska, 1950-1974.

	Females	Males	Ratio Male/Female
1950-1959	45	124	2.7
1960-1969	68	169	2.5
1970-1974	47	123	2.6

source: Dr. Robert F. Kraus, Anchorage, personal communication,
On-going research on suicide, homicide, and alcohol related deaths.

Analyzing suicide rates by race shows that Native rates are higher than those of white and that both Native and white rates in Alaska are higher than comparable ones in the United States. Between 1965 and 1968, non-whites in Alaska (this category is predominantly Native) had a suicide rate of 23 per 100,000 population compared to 15 for Alaska whites. The United States rates in that period were 10.9 for all races, 11.7 for whites, and 5.0 for non-whites.[17]

Although males commit suicide with greater frequency, females attempt it more often. Kraus asserts that Alaska Native females attempt suicide twice as frequently as males.[18] In a study of suicide in Fairbanks between 1960 and 1971, Parkin found 3.6 times as many female as male suicide attempts. He also identified differences between the sexes in the methods used. Of those who completed and attempted suicide, 67.2 percent of females used drugs or alcohol compared to 45 percent of the males; 46.5 percent of the males used guns or sharp instruments compared to 27.5 percent [illegible] females.[19] Females appear to attempt suicide as a desperate call for help; males are more likely to be serious about it and are more frequently successful.[20]

Crime

Assuming that crime is an indicator of psychiatric disorder, then we have another area in which males and females show differences in incidence. In August, 1976, only 12 percent of the population of Alaska correctional institutions was female. The female prison population represented 8 percent of the adult prison population and 29 percent of the juvenile.[21]

Summary

Analysis of the above hard indicators suggests a dual pattern by which males and females express emotional stress. These different patterns reflect, at least in part, the different socialization of the sexes. Females more often react to severe stress by developing depressive disorders where conflict is expressed in feeling and mood rather than through action; such reactions conform to the empahsis in their socialization on passive acceptance, dependency, and emotionality. Males, on the other hand, tend to manifest more active disorders such as alcoholism, criminal behavior, and suicide, reflecting a lifetime of training that emphasizes action and assertiveness rather than passivity and introspection about emotions.

Distinct Problems of Women

Above we have considered the mental health status of women (and men) in terms of quantifiable indicators. These do not reveal some equally important qualitative aspects of women's mental health status for which hard data are not available, particularly regarding crises that produce mental health problems. In this section we are concerned primarily with the crises of divorce and wife battering. The equally important crisis of rape is fully discussed by Katz. Much of the data for this section comes from clients at the Alaska Women's Resource Center counseling program, of which this writer is advisor.

Divorce

In Alaska in 1974 there were 2,452 divorces, affecting over 3,000 children. The divorce rate of 7.0 per 1,000 population in Alaska was 52 percent higher than the national rate of 4.6.[22] And the divorce rate in Alaska is increasing according to evidence presented in Bennett's section on Income and Poverty. Bennett reports an estimated 8 to 10 percent increase in number of divorces filed in Anchorage over the last three years.[23]

Divorce represents a set of emotional crises for women, many of which are distinct from those experienced by men.* One of the most serious problems is poverty.

> What do I do if my kids get sick and I have to take an extended period off work. I hardly have any sick leave coming and if I don't have my full salary, we could never make it.

The remarks of this recently divorced mother of two preschool children are typical of many divorced women. The Income and Poverty section (Table 23) presents data on 270 randomly selected divorce cases in the recently formed Child Support Enforcement Agency in Anchorage. The table shows that the men were paying their ex-wives on the average only 38 percent of the amount ordered by the court. In addition to low child support payments, female-headed households have considerably lower incomes than male-headed households. In 1970, it was less than half that of male-headed households (Table 20, Income and Poverty section).

The women's low income affects their ability to protect their legal rights. When, for example, husbands contest the property settlement, the women often comply because they feel unable to cover the costs of extended legal proceedings. The free service provided by Alaska Legal Services is available only to women whose incomes are below the poverty level and therefore are not available to the large number of divorced women who are near poor.

Low income also prevents these women from seeking private psychotherapy even when they fear for their sanity. Participation in Alaska Women's Resource Center's six week program of group therapy for divorced women, at a minimum charge, entailed sacrifice for the large majority of women in the program.

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*We do not mean to suggest that divorced men escape problems. Both divorced men and women are overrepresented in the population of psychiatric facilities. While about 4 percent of men and 4 percent of women are divorced in Alaska, nearly 20 percent of men and 20 percent of women at Alaska Psychiatric Institute are divorced.

Another problem confronting divorced women is the necessity to re-enter the labor market often after many years living exclusively as homemakers. Dr. Robert Kraus, Anchorage psychiatrist, said that re-entry into the labor market is a common stress experienced by his women patients. Women who have been homemakers and lack marketable skills face intense stress. They must figure out what kind of work to do, how to overcome their lack of confidence, their fear of job hunting, their lack of knowledge about how to go about it. They, as well as married women re-entering the labor market, need special programs sensitive to and knowledgeable about their particular situations and needs. There are no such special programs in Alaska. The California legislature has a bill pending (AB 826, Smith, 1975) which addresses this problem. It calls for a two-year pilot project to provide counseling and vocational training for divorced, widowed, and other displaced homemakers. This bill is limited in that it makes no provision for financial assistance for homemakers in training, which seems essential to the success of such a program.

Feelings of failure seem to be inherent to divorce. These feelings are especially acute for women because their sense of worth is often dependent on the success of their marriages. There is a note of agony when divorced women discuss this issue as the following quote suggests:

> I feel like such a failure. I tried everything. When I talked, he just listened and nothing changed. When I complained he left the room. When I screamed he left the house. When I remained silent and just tried to observe the relationship, it was as if he forgot I was alive. Oh God, where did I go wrong?

This strong sense of personal failure reflects, in part, the stigma attached to divorce. Social attitudes toward divorce imply that it is a sign of failure. The feeling of being stigmatized is reinforced by experiences after the divorce when married friends may shun their company and when they meet new people whose first question frequently concerns their marital status.

One of the most terrifying problems faced by these divorced women is insecurity about the future. Will they remarry? How do they redefine themselves as available on the marriage market? Will they make the same mistakes again?

Will a stepfather resent the children? And if they don't remarry, they fear abysmal loneliness and having to raise children alone.

"What do I do about my sex life"--a common concern and problem of divorced women. A quote from one divorced woman is typical:

> I don't know what to do about sex. It's on my mind a lot. Should I go to a bar? No, I think I'd feel used and cheap. I try masturbating but it gets boring. It's not what I want. I want sex in a relationship, in a love relationship.

In our society the sexually free single woman is often stigmatized. She is labeled with such pejoratives as loose, easy, lusty, promiscuous, round heels, double breasted push over. A recently published book on working class families shows that despite changing sex norms the double standard of sex persists and the good girl-bad girl dichotomy remains deeply ingrained in both men and women.[24] Accustomed to a regular sex life in a legitimated situation, divorced women must face either sexual frustration and deprivation or adopting new sexual behaviors that may be alien to their self concept and that may evoke denigration or scorn from others.

In response to numerous requests from divorced and separated women, Alaska Women's Resource Center established a group and individual counseling program. A newspaper article about the program brought over forty responses, mostly from working-class women who are traditionally oriented to their feminine roles. As the Women's Center has no public funds for this purpose, it charges a relatively small fee which has proved beyond the means of some of the applicants. Nonetheless, the need for a program of this nature is sufficiently large that the Women's Center has a continuous flow of applicants. But this is a small scale program operating without public funds and therefore can serve only a small minority of the women who potentially need such services.

Battered Wives

The family is not always the loving, nurturing institution our mythology, folklore, and literature portray. It can be and often is a very dangerous place. Wife battering is a problem of many women who come to the Women's Center. Their urgent need is for counseling and an emergency shelter.

As Katz points out in her chapter on battered wives, the incidence of this crime is difficult to determine because police hide it in categories such as assault. The one attempt to survey the extent of the problem gives alarming results. Data from two Michigan counties indicate that assaults against wives comprised 43 percent and 40 percent respectively of the entire assaults recorded there in 1974.[25] The prevalence of battered wives in Alaska is noted by two members of the Alaska Legal Services staff who estimated that 70 percent to 75 percent of women seeking help with divorces from their agency were battered by their husbands.[26] It was also noted by municipal social workers whose concern about the problem led them to ask the Women's Center for consultation about how to handle it.[27]

Wife battering is invidious for children as well as wives. One investigator found that girls in families exposed to domestic violence tend to become passive and withdrawn and to grow up expecting a certain amount of abuse from males. Boys in these families tend to grow up aggressive and dominating with physically and verbally abusive natures.[28] The following quotes describing such children from a recent study of wife battering are illustrative:

> When you put your arms around Wayne, he would respond by kicking and punching, spitting and scratching, because that was the only behavior he'd learnt. He expressed his emotions with violence and not with caresses because that's all he's seen.[29]
>
> Sometimes, as in the case of Sarah, the husband made a favorite of her middle boy and when he had beaten her, he would take the boy out and buy him a present so that by the time the boy was seven or eight, his mother's beatings came to mean rewards and he would hang around and watch, laughing...[30]

One of the battered wives known to the Women's Center was appalled to discover after her divorce that her teenage sons imitated their father's abusive behavior toward her, though verbally rather than physically.

Why do battered wives remain in their situations? One reason is economic. The common pattern in the marriages of battered wives who contacted the Women's Center was one of near tyranny in which husbands kept them penniless to prevent their leaving. One woman who was the sole earner in the family was required to turn her weekly paycheck over to her husband. He kept the money in his account and refused her permission to open an account of her own. "You don't need any money," he proclaimed repeatedly. Another wife was beaten when she tried to emancipate herself economically by enrolling in a skill training program. In fear, she withdrew from the program.

Another characteristic pattern in these marriages is the isolation of the wives. In a study of wife battering in Berkeley, Brewster noted that husbands frequently keep their wives isolated for fear that others will convince the wives to leave them.[31] One of the Anchorage battered wives, for the twenty years of her marriage, was not allowed to leave the house or drive the car in her husband's absence. Another woman, similarly confined to the house, was watched and followed by her husband's friends when he was away at pipeline work.

A third characteristic in these violent marriages is the psychological dependency of the wives. In her Berkeley study, Brewster found that vulnerability to physical abuse so damaged women's self esteem that they came to believe that they deserved the beatings.[32]

Interlaced with the above characteristics is the battered wives' pervasive fear of their husbands, generated not only by the beatings but by the constant threat of one hanging over their heads. The wives report an unpredictability in the pattern of the beatings which render them in a state of constant terror. One wife, for example, was choked by a jealous husband demanding a confession of her extramarital activities. She had had none, but fearing for her life when he continued to choke her, she confessed to one. Later, she told him she had lied to make him stop choking her. The husband then suggested they take a weekend trip, which she viewed as an effort at reconciliation. As soon as they entered their vacation motel room, the husband threw her violently against the wall and informed her that he had brought her to this remote location to kill her for lying to him. Ten years (and innumerable beatings) later, she left him.

Given the economic and psychological dependency, the isolation and the fear, these women might still leave their husbands, but there is no place for them to go. Katz outlined the obstacles to securing police protection. The battered wives known to the Women's Center resist appealing to the police. "What good would it do even if they arrested him; he would be out in a day or two, and I would pay a heavy price for having turned him in," was a typical remark.

Society does not recognize wife battering as a social problem and consequently there are few mental health or social agency programs for battered wives. One of the women known to the Women's Center decided to leave her husband after he brutally beat their son. She applied immediately to the Division of Social Services for emergency assistance. The Division told her they could not process her application until she had a permanent address. "But I came to you precisely for funds to rent an apartment. That is the only way I can escape this crisis," protested the woman. The Division refused to assist her. Next, she sought shelter at the Salvation Army. Staff there advised her to place her son in a shelter as they did not take children under four years of age. But that would have defeated her purpose to give her son assurance during this crisis. Furthermore, she could not afford the costs of shelter at the Salvation Army which offered a free bed for a maximum of only three nights.

There is no shelter in Alaska specifically designed for women in crisis, where they can go with their children. In 1975, the Women's Center conducted a survey to determine how many temporary beds there were for women in Anchorage. While there were a minimum of 127 temporary, emergency beds available to house men in need, there were only five such beds for women (and these did not include children). The Women's Center also surveyed 22 social agencies providing or using services for women. It found widespread recognition of the need for emergency housing, as the following quotes suggest:

> Low cost housing and temporary housing for women in crisis is critical...There is no place for women to go.
>
> Temporary housing for women is virtually nonexistent in the Anchorage area. There is literally no place for these people to go. If children are involved, the problem is even worse...
>
> There is not a system for placing women and children. There are cases where women have to give up their children so that they can have a place to stay...[33]

In recognition of the urgent need for a shelter for women in crisis, representatives from a number of agencies have been meeting to consider means for privately supporting an emergency shelter. Participants in the effort include representatives from Alaska Women's Resource Center, Cook Inlet Native Association, North Pacific Rim Native

Association, Alaska Legal Services, and Alaska Division of Mental Health, among others. Their volunteer efforts, however, are not likely to result in a substantial service for the many women in domestic violence and other crises.

Although our experiences with women at the Alaska Women's Resource Center are not systematically documented, they do indicate the kinds of support services needed. They strongly suggest the need for special services for women in crisis--an emergency shelter for women and their children and counseling programs for divorced women. Our activities with women in crisis also indicate the need for systematic research to gain a comprehensive understanding of the nature of women's various life situations and the effects of these situations on their mental health.

Professionals' Attitudes Toward Women's Psychiatric Problems

Our efforts to secure information about the above and other distinct problems of women proved frustrating. The Alaska mental health needs assessments we consulted do not deal with distinct problems of women. Fuld's 1972 survey of mental health and other professionals regarding their assessment of unmet mental health needs in Anchorage revealed few references to special problems of women. The professionals identified a number of population groups having unmet mental health needs--the poor, elderly, children, adolescents--but they did not mention women. While the professionals referred to numerous needed services, there were only two references to special services for women--mother-baby clinics and emergency housing.[34] A 1976 statewide survey of 175 providers of health and social services showed the same tendency to overlook the special problems of women or special programs to meet their needs.[35]

In preparation for this study, we interviewed twelve mental health professionals (psychiatrists and social workers) from eleven facilities to ask specifically if they perceived women as having distinct problems and as being in need of special programs. This group included seven female and five male professionals. Males and females showed few differences in their responses to our questions. Nine of the twelve respondents perceived women as having distinct problems. They named ten areas of special problems. The most commonly mentioned concerned mothers' problems with children (four responses). The second most frequently mentioned was teenage girls' problems with parents, sexual abuse, and illegitimacy (three responses). Other problems mentioned were work adjustment, the need to prepare for a career, poverty, and the lack of opportunities for women. It is noteworthy that none mentioned distinct problems of women in crisis situations such as those discussed in the previous section.

The perception of distinct problems, however, did not result in the adoption of distinct treatment goals for women. Rather, the professionals tended to apply broad goals, such as increasing self-confidence and self-worth, that encompass women as well as men and most humans. Neither was the perception of special problems for women translated into special programs for them; only one of the eleven facilities had a special program for women, and only five respondents acknowledged the need for such a program.

One reason that professionals tend not to see the need for special orientations and approaches to women's problems is psychiatric ideology which stresses internal dynamics rather than social-structural causes of problems and sees solutions to mental health problems in terms of changing individuals rather than the situations that create the stress. The comments of a woman psychiatrist interviewed for this study illustrate this point:

> Do your women patients have any special problems?
>
> Yes, women have problems with baby sitting, vocational adjustment, adolescent changes. Women seem to have more difficulty than men with their sexuality, with their role as mothers. Their main psychological problem is frigidity.
>
> Do you have different goals for women than men patients?
>
> No, my goal with both men and women is the resolution of conflict. Not conflict with the external environment. It is internal conflict. I see patients as people who have not been able to cope with their environment. When internal conflicts are resolved, then they will be able to cope with their environment.

Thus, while professionals tend to recognize common problems of women related to their structural position in society, e.g., motherhood, work, poverty, opportunities, their ideology tends to overlook the relevance of these social-structural factors. It seems logical that if cultural conditioning and special life situations are associated with mental health problems of women, then knowledge about these cultural and social forces as well as programs applying that knowledge are needed.

Sex Bias in the Mental Health Profession

Recent writers have suggested that a sex bias exists in the mental health profession.[36] They base this assertion on the prevalence of males in the top positions in the mental health field and the tendency of practitioners and therapists to devalue female patients by assuming that normal women find satisfaction in traditional feminine roles and in devoting their lives to pleasing others rather than focusing on their own needs and interests.

It is true that in Alaska men dominate as mental health policy makers. Psychiatrists are the major policy makers. They decide if persons are to be treated as outpatients or inpatients; they decide on treatment goals, treatment methods, duration of treatment, and when the patient is cured. Eighteen of the twenty-one Alaskan psychiatrists are men.[37] At Alaska Psychiatric Institute, all five psychiatrists are men. The two psychiatrists at Alaska Native Medical Center are men as are the four military psychiatrists in the state. Psychologists also influence treatment policy; their ranks are equally dominated by men. Of thirty-one licensed psychologists in Alaska, twenty-four or 77.4 percent are men.[38] Only social workers, the least prestigeous and influential (in terms of treatment policy) have a relatively even distribution between the sexes.[39]

The same pattern of male concentration appears in top administration at the State Division of Mental Health; six of seven top administrators of the Division's central office in Juneau are men.[40] At lower administrative levels in the Division, however, women tend to predominate. For example, at Alaska Psychiatric Institute all but two of the department heads are women. The superintendent, though, is a man.

The dominance of men as mental health practitioners, however, does not necessarily generate a sex bias. Recent research has shown that both male and female mental health professionals exhibit a sex bias. Broverman, et al, asked seventy-nine mental health professionals, both men and women, to check off from a list those traits that represent healthy male, healthy female, and healthy adult--sex unspecified.[41] Regardless of the sex of the professional, healthy men and healthy adults were expected to share the same traits such as aggressiveness, independence, assertiveness, and ambition. Healthy women, on the other hand, were expected to have an entirely different set of traits such as submissiveness, passivity, dependency, unaggressiveness, and emotionality, the very traits professionals consider undesirable in a healthy adult.

The Broverman study shows not only that men and women mental health professionals share a sex bias but the nature of that bias which devalues women by assuming that a mature healthy woman has less socially desirable qualities than a mature healthy adult. This bias does not appear to be intentional but reflects cultural definitions of masculinity and femininity that have been adopted by many mental health professionals as well as mental health theorists.

Although psychiatry is the only medical speciality in which some women have reached national and international prominence as theorists, e.g., Karen Horney, Anna Freud, Freida Fromm Reichman, the viewpoints of male theorists remain the most influential. Freud, the father of modern psychiatry, is the most influential of all. He tended to view women literally as the weaker sex:

> We say also of women that their social interests are weaker than those of men and that their capacity for the sublimation fo their interests is less...*the difficult development that leads to femininity (seems to) exhaust all the possibilities of the individual.*[42] (emphasis added)

Erik Erikson, a psychoanalytically-oriented anthopologist and an important influence in contemporary psychiatric thought, perceives women nearly exclusively in their role as men's objects:

> For the student of development and practitioner of psychoanalysis, the stage of life crucial for the understanding of womanhood is the step from youth to maturity, the state when the young woman relinquishes the care received from the parental family and the extended care of institutions of education in order to commit herself to the love of a stranger and to the care to be given to his or her offspring... young women often ask whether they can "have an identity" before they know whom they will marry and for whom they will make a home.

> Granted that something in the young woman's identity must keep itself open for the peculiarities of the man to be joined and of the children to be brought up, I think that much of *a young woman's identity is already defined in her kind of attractiveness and in the selectivity of her search for the man (or men) by whom she wishes to be sought*.[43] (emphasis added)

A contemporaty psychiatrist, Joseph Rheingold, sees women's destiny exclusively in their roles as mothers:

> ...woman is nurturance...anatomy decrees the life of women...When women grow up without dread of their biological functions and without subversion by feminist doctrines and therefore enter upon motherhood with a sense of fulfillment and altruistic sentiment, we shall attain the goal of a good life and a secure world in which to live.[44]

Phyllis Chesler, a recent and provocative writer on women's mental health, contends that sex biased ideology finds expression in practitioners' tendency to define women's unhappiness as psychopathological. Often, Chesler asserts, it is the woman's inability to adjust to the passivity and dependence expected of her in marriage that practitioners perceive as mental illness. And in line with this perception, practitioners try to bring women to terms with their traditional feminine roles. In essence then, therapists try to cure women by encouraging them to adapt to the very conditions that underlie the problem in the first place.[45]

RECOMMENDATIONS

Mental Health Statistics

An obstacle to acquiring information for this study was posed by the failure of some mental health agencies to keep statistics and records by sex. This failure prevents agencies from monitoring and assessing their programs as they affect women and from gaining knowledge to guide mental health planning for women. The State Legislature should direct its mental health agencies to maintain statistics and records by sex and to monitor the effectiveness of their work with women.

Access to Services

Psychiatric services and key professionals are concentrated in the urban areas of the state. For example, nearly three-fourths of psychologists and psychiatrists are located in the Anchorage area. This imbalance can exacerbate the psychological stress experienced by rural residents. In addition to their problem, they must also face the stress of leaving home for treatment. This poses special problems for mothers who face the additional problem of arranging care for their children. The State Legislature should provide funds for a program of community mental health aides for the rural parts of the state similar to the Alaska Area Native Health Service program of community health aides.

Displaced Homemakers

Many women face a crisis after divorce or in mid-life when they re-enter the labor market after years living exclusively as a homemaker and often lacking marketable skills. These women need special services that provide not only training but financial assistance and special counseling which is sensitive to and knowledgeable about their needs. The State Legislature should consider funding a pilot program similar to that proposed in the California Legislature to provide counseling, training, and financial assistance for displaced homemakers in training.

Divorced Women

Divorced women face a set of crises, many of which are distinct from those experienced by men; the women often face poverty, the stress associated with re-entry into the labor market, feelings of failure, stigmatization by others, insecurity about the future, and sexual deprivation. Despite the distinctiveness of these problems, special support services for these women are unavailable except the small scale program offered by the Alaska Women's Resource Center. Given the importance of social interventions at critical points in life, such as divorce, to avert emotional breakdowns, the State Legislature should provide funds for counseling programs for women in divorce and other crises. The State Legislature should also provide funds for research that will systematically document problems of divorced women in Alaska, as a basis for refining support services for them.

Battered Wives

Though systematic documentation is lacking, wife battering appears to be a serious problem in Alaska. The pattern in the marriages of battered wives known to the author is one of near tyranny where husbands keep wives penniless and isolated to prevent the wives from leaving them. From intimidation and fear, financial security, and low self esteem, the wives often stay in the marriages for long periods of time. These marriages then become fertile ground for transmitting violent patterns from one generation to the next. As society does not recognize wife battering as a social problem, there are few mental health or social agency programs for battered wives. The most important immediate need of battered wives is an emergency shelter where they can go with their children to receive protection, support, and counsel while evolving a solution to their problem. There is no emergency shelter for women and their children in Alaska. The State Legislature should provide funds for emergency shelters for women. The State Legislature should alter State Division of Social Service regulations that prevent granting emergency assistance to battered wives before they have moved to a new location. The State Legislature should also provide funds for research to understand the prevalence and causes of wife battering as a basis for planning in the mental health and criminal justice fields.

Sex Bias in the Mental Health Profession

Most women work for a large part of their lives, yet they often receive little preparation for this reality. Women are still trained to expect that some man will take care of them and that if they work it will not represent a serious, long-term commitment. The mental health profession appears to perpetuate this sex bias with its expectation that women fulfill traditional feminine roles. Some of the practitioners interveiwed for this study appear to be unaware that this emphasis on traditional roles represents a sex bias. To them, it seems natural. The State Legislature should consider establishing a commission to investigate sex bias in state mental health services as a basis for establishing training conferences for mental health professionals.

Footnotes

1. Deena Fuld et al. "A Study of Mental Health Services in Anchorage." Masters Thesis. University of Alaska, Anchorage, 1972; State Department of Health and Welfare, Morbidity Survey of Selected Urban Areas in Anchorage and Fairbanks, Alaska, San Francisco: Scientific Analysis Corporation, 1970; Greater Anchorage Area Borough Health Survey, 1973; Jim Price, Alaska Mental Health Needs Assessment, Alaska Division of Health and Social Service, Department of Mental Health, Community Mental Health Services, 1976.

2. Alaska Division of Mental Health, Alaska Native Medical Center, Anchorage Community Mental Health Center, Langdon Psychiatric Clinic.

3. Jim Price, Alaska Mental Health Needs Assessment, pp. 47.

4. Alaska Office of the Governor. Current Population Estimates by Census Division, July, 1975.

5. Jim Price, Alaska Mental Health Needs Assessment, pp. 105.

6. The Sterling County Study of Psychiatric Disorder and Sociocultural Environment, three volumes: Vol. I, My Name is Legion, Alexander H. Leighton, 1959; Vol. II, People of Cove and Woodlot, Charles C. Hughes, et al, 1969; Vol. III, The Character of Danger, Dorothea Leighton, 1963; New York: Basic Books, Inc.

7. Walter R. Gove and Jeanette F. Tudor, "Adult Roles and Mental Illness," in Joan Huber (ed.) Changing Women in a Changing Society, Chicago: University of Chicago Press, 1973.

8. Clarice Stasz Stoll. Female and Male: Socialization, Social Roles, and Social Structure, Dubuque, Iowa: Wm. C. Brown Co., 1974, pp. 178-79.

9. Joseph Bloom. "Migration and Psychopathology of Eskimo Women." Paper presented at the American Psychiatric Association Meeting, Dallas, Texas, May, 1972.

10. Barbara Nachman, psychologist, Alaska Native Medical Center, personal communication, October 10, 1976.

11. Stoll, pp. 150-58.

12. Jesse Bernard, "The Paradox of the Happy Marriage," in Vivian Gornick and Barbara K. Moran (eds.) *Women in Sexist Society*, New York: New American Library, 1971, pp. 145-163.

13. Amy Bollenbach and Rena Mulcahy, "Obstacles Facing the Mature Women in Career Development," graduate course paper, University of Alaska, Anchorage, 1975, pp. 17.

14. A. P. Abbott and J. P. Kehoe, "Mental Health Practice in the Yukon," *Canada's Mental Health*, January/February, 1972, pp. 4-10.

14(a) Estimate by Dan Seiver, Demographer, Institute of Social and Economic Research, University of Alaska.

15. Alaska Department of Health and Social Services, Office of Alcoholism. *Allocation of Adult Alcoholics in Alaska by Geographic, Sex and Racial Indices*, prepared by Alaska Center for Research, Planning and Evaluation, Juneau, July, 1973, pp. 25.

16. Dr. Robert F. Kraus, personal communication, December 23, 1976.

17. Robert R. Nathan Associates, *2(c) Report: Federal Programs and Alaska Natives*, Task II: Part B, Section 3, pp. 9, Anchorage, 1974.

18. Dr. Robert F. Kraus. "Suicidal Behavior in Alaska Natives," *Alaska Medicine*, Vol. 16, #1, 1974, pp. 2-6.

19. Michael Parkin. "Suicide and Culture in Fairbanks," *Psychiatry*, Vol. 37, February, 1974, pp. 60-67.

20. Dr. Robert F. Kraus, personal communication, December 3, 1976.

21. Judy Hill, Deputy Director, Criminal Justice Planning Agency, to Joan Katz, August 30, 1976.

22. Alaska Department of Health and Social Services, *1974 Vital Statistics*, Provisional Figures.

23. Mel Martin, Computer Section, Alaska Court System, personal communication, December, 1976.

24. Lillian B. Rubin. *Worlds of Pain: Life in the Working Class Family*. New York: Basic Books, 1976.

25. Kathleen M. Fojtik, "How to Develop a Wife Assault Task Force Project," Wife Beating. Ann Arbor, Mich.: Women Against Violence Against Women, n.d., pp. 21, mimeo.

26. Karla Forsythe, Jewel Hall, Alaska Legal Services, personal communication, November 2, 1976.

27. Carolyn John, Anchorage Municipality, Information and Referral Services.

28. Erin Pizzey. Scream Quietly or the Neighbors Will Hear, Middlesex, 1974, pp. 48 and 67.

29. Ibid., pp. 73.

30. Ibid., pp. 56.

31. Nancy Brewster, "Wife Beating: Male Enforcement of Status and Property Rights," Bachelor's Honors Thesis, University of California, Berkeley, California, 1976.

32. Ibid., pp. 12.

33. Bollenbach and Mulcahy, 1975, pp. 60.

34. Fuld, pp. 267.

35. Alaska Mental Health Needs Assessment, 1976.

36. Phillis Chesler, Women and Madness, New York: Avon Books, 1972; Dorothy M. Jones, Urban Native Men and Women: Differences in Their Work Adjustment, Fairbanks: Institute of Social and Economic Research, 1976.

37. Alaska State Medical Association, 1976 Health Directory, Anchorage, 1976.

38. Dr. Bill Moore, Regional Supervisor, South Central Regional Office, Department of Health and Social Services, Division of Mental Health, Anchorage, 1976.

39. United States, Department of Commerce, Bureau of Census, 1970 Census of Population: Detailed Characteristics - Alaska, Final Report PC (1)-D3, Washington, D. C.: U. S. Government Printing Office, 1972, Table 171, pp. 3-299.

40. Linda Smith, Statistician, Department of Health and Social Services, Division of Mental Health, 1976.

41. Inge K. Broverman, et al, "Sex-Role Stereotypes and Clinical Judgements of Mental Health," Journal of Consulting and Clinical Psychology, 34(1970): 1-7.

42. Sigmund Freud, New Introductory Lectures in Psychoanalysis, New York: W. W. Norton, 1953, pp. 377.

43. Erik H. Erikson, "Inner and Outer Space: Reflections on Womanhood," Daedalus, 93 (1964), pp. 582-606.

44. J. Rheingold, The Fear of Being a Woman, New York: Greene and Stratton, 1964, cited in Vivian Gornick and Barbara K. Moran (eds.) Woman in Sexist Society, New York: New American Library, 1971, pp. 362-392.

45. Phillis Chesler. "Women in the Psychotherapeutic Relationship," in Vivian Gornick and Barbara K. Moran (eds.) Woman in Sexist Society. New York: Basic Books, 1971, pp. 362-392.

CHAPTER II

WOMEN AND PHYSICAL HEALTH

Dorothy M. Jones

In this chapter, we examine five topics concerning Alaska women and health:

- Sex differences in health status;
- Sex differences in health insurance coverage;
- Special health problems of women--reproductive health services and abortion; and
- Sex imbalance in the medical profession.

The major sources of Alaska data for this chapter include:

- Alaska Department of Health and Social Services health surveys, 1974 Vital Statistics, 1976 abortion report, and health statistics;
- Southcentral Development and Planning Agency health survey;
- U.S. Department of Health, Education and Welfare health statistics;
- 1970 Census of Population, health statistics;
- Anchorage Family Planning Center for information on client characteristics; and
- Survey of users of health services.

Introduction

The physiological and biological differences between the sexes is well known. Males have a shorter life expectancy than females, and have higher death rates in most major diseases. The issue in this section, however, is not which sex has the most severe health problems, but the special health problems of women.

Women have a long history of action and organization regarding their special health problems. As early as the 11th century in Italy, Trotula di Ruggiero became a prominent obstetrician-gynecologist and wrote voluminously on special diseases of women. In the 14th century, a Venitian, Christine de Pisan, advocated the formation of women's health collectives to gain education and health knowledge. In the 18th century, Angelique Marguerite le Boursier du Courdray was licensed to practice midwifery in Paris. She developed a manikin of the female body to teach women the art of delivery.[1]

Women were part of the health movement in the United States in the early 19th century, forming ladies' physiological reform societies in which women lectured on elementary anatomy, sex, and general hygiene. In the 1840s Elizabeth Blackwell, after witnessing the agonies of a friend suffering from a female disease, decided to become a doctor specializing in women's disorders. After fighting her way into medical school, she became the first woman to receive a medical degree in the United States. Following her graduation she founded a women's medical college.[2]

Lacking female physicians, denied access to education throughout most of their history, women were subjected to male doctors' definitions of their female disorders.

Today, in protest against their medical ignorance and helplessness, women in increasing numbers are forming health collectives. There are now about fifty women's health collectives or centers in the nation, including one in Juneau. The central purpose of these collectives is to educate women about their bodies so that they can actively participate in making decisions about the care of their bodies.

Despite the obvious physiological and biological differences between the sexes, health agencies in Alaska frequently fail to report and analyze health data by sex. The Alaska health surveys we consulted did not analyze data by sex.[3] Publication of Alaska vital statistics also fail to analyze certain crucial health issues by sex, such as cause of death. (For purposes of this study, the Alaska Division of Public Health did a special analysis of cause of death by sex.) Hospitals and private physicians also frequently fail to analyze user data by sex. This posed an obstacle to collecting data for the study.

The Health Delivery System in Alaska

The complex problems involved in providing health care services in a state that has a large rural population are beyond the scope of this study. Here we shall briefly describe the health care delivery system in Alaska and focus on sex differences in health status and insurance coverage and special health problems of women.

There are five major health delivery systems in Alaska. One is the Indian Health Service of the United States Public Health Service (referred to as the Alaska Area Native Health Service) which provides free care to Natives. The major Indian Health Service facility, located in Anchorage, provides a full range of health services. The other six hospitals, located at Barrow, Bethel, Kanakanak, Kotzebue, Mt. Edgecumbe, and Tanana, provide hospitalization under the care of general medical officers in consultation with specialists.

Closely related to Indian Health Service are the Native Regional Health corporations, which provide primarily health planning, community development assistance, and community health aides. The Native health corporations operate by contract with the Indian Health Service.

State public health is the third system. Oriented primarily to rural parts of the state, it provides a number of direct services, including maternity care, family planning, prenatal and postnatal care, tuberculosis control, communicable disease control, school nursing, programs for handicapped children, and home care nursing.

Fourth is the military health service which furnishes a full range of inpatient and outpatient servies to military personnel and their dependents. There are five military hospitals in the state--one each in Anchorage, Adak, and Kodiak, and two in Fairbanks.

Finally, there is the private practice of medicine, which serves the largest portion of the Alaska population.

Private hospitals and private practice physicians tend to be concentrated in three cities in Alaska--Anchorage, Fairbanks, and Juneau (Table 1).

Table 1. Location of Physicians and Hospital Beds in Alaska, 1976.

		N=354	N=103	N=1244	N=582
	Percent State Population	Private Practice Physicians	Federal & State Physicians*	Private Hospital Beds	Federal & State Hospital Beds**
Anchorage	43.9	59.0	60.2	48.1	31.4
Fairbanks	17.2	20.3	3.9	17.6	4.5
Juneau	5.8	4.8	5.8	5.4	0
Other Places	33.1	15.8	30.1	28.9	64.1

* Does not include military physicians.
** Does not include military and psychiatric hospitals.

source: 1976 Health Directory, Alaska State Medical Association, Anchorage: 1976, p. 27.

Over 82 percent of private practice physicians and nearly 69 percent of private hospital beds are located in the three cities. State and federal medical services (excluding the military) tend to compensate for this concentration by providing physicians and hospital beds in other areas of the state. Thirty percent of public health physicians are located in these other areas compared to only 15.8 percent of private practice physicians, and 64.1 percent of public health hospital beds are located in the other areas compared to only 28.9 percent of private hospital beds. But, because of the high costs of providing physician services in remote areas, state and federal public health services tend to concentrate nurses and community health aides in these places; 68 percent of state public health nurses and 92 percent of the community health aides are located in the other places.[4] In effect, a female-run health care system operates in rural Alaska which Dr. Martha Wilson, a leading expert in health care in Alaska, describes as a splendid system of care.[4a]

Sex Differences in Health Status

Birth and Death Rates

Alaska women have proportionately more children than women in the general population of the United States. The 1974 resident birth rate of 20 (per 1,000 population) was 30 percent higher than the United States rate of 15.[5] In 1970, Alaska had a higher birth rate than any state in the nation.[6] Death rates in Alaska, however, were lower than in the United States. In 1974, the Alaska rate was 4.2 compared to the United States rate of 9.2.[7] Both the lower death rates and higher birth rates in Alaska than in the United States reflect the younger age of the Alaska population. In 1970 the median age for Alaskans was 19 compared to 28.1 for the United States.[8]

Similar to the United States, Alaska women produce more male than female offspring; in 1974, there were 107 males born to every 100 females (live births). In the United States it was 106.5 males to every 100 females.[9] The higher male birth rate is offset by a higher male death rate. The 1974 male death rate in Alaska of 5.3 (per 1,000 male population) was 1.8 times higher than the female rate (Table 2).

Alaska male death rates are higher than the female for every age group. The difference is greatest in the 25-34 year old group when accident rates are at a peak; male accident rates were 3.2 times higher than the female in 1974.[10] In the other age groups the male rate was between 1.4 and 2.9 times higher than the female (Table 2).

Table 2. Alaska Death Rate by Age and Sex, (per 1,000 population), 1974

Age	Female Rate	Male Rate	Ratio, M/F
0-4	3.3	4.8	1.4
5-14	0.6	0.9	1.5
15-24	0.9	2.5	2.9
25-34	0.8	3.3	4.1
35-44	2.3	5.2	2.3
45-54	5.4	7.5	1.4
55-64	8.2	16.7	2.0
65+	31.4	45.6	1.4
Death Rate (all ages)	2.9	5.3	1.8
Median Age at Death	52.2	47.9	

source: Dr. Dan Seiver, Institute of Social and Economic Research; Death Statistics, 1974 Vital Statistics, Provisional Figures, Alaska Department of Health and Social Services, Division of Public Health, Health Information Systems.

Males not only have higher death rates than females, but their median age at death is lower. The median age for males at the time of death is nearly five years less than that for females (Table 2). Analyzing these figures by race reveals a more striking difference (Table 3). Native males' median age at death is 38.9 compared to 51.3 for white males; the difference in median age between Native and white females is somewhat less but still substantial.

Table 3. Median Age at Death by Sex and Race, Alaska, 1974.

	Native N=438		White N=987		Total N=1468	
	Female	Male	Female	Male	Female	Male
Median Age	44.6	38.9	55.3	51.3	52.2	47.9

source: Death Statistics, 1974 Vital Statistics, Provisional Figures, Alaska Department of Health and Social Services, Divison of Public Health, Health Information Systems.

Sex Differences in Cause of Death

Females and males differ not only in death rates and age at death but in cause of death. Table 4 shows that Alaska males have higher rates of death for eight of the ten leading causes of death in Alaska. The exceptions are cirrhosis of the liver and pneumonia. For the eight causes in which male death rates exceed females, the male to female ratio is highest (in order of frequency) for suicide, accidents, diseases of the heart, homicide, and alcoholism.

Table 4. Crude Death Rates for Ten Leading Causes of Death in Alaska, By Sex. (per 100,000 population)

	Number	Female Rate	Male Rate	Ratio, M/F
Accidents	419	62.4	199.2	3.2
Major Cardiovascular	336	59.9	125.9	2.1
Diseases of the heart	(262)	(42.6)	(101.7)	(2.4)
Cerebral vascular disorders	(74)	(17.2)	(24.2)	(1.4)
Malignancies	214	60.5	61.1	1.0
Suicide	74	8.6	31.6	3.7
Diseases of infancy	51	13.0	15.8	1.2
Cirrhosis of the liver	49	14.8	13.2	0.9
Pneumonia	43	13.6	11.1	0.8
Alcoholism	46	9.3	16.3	1.7
Other Degenerative disorders	32	8.0	10.0	1.2
Homicide	26	4.3	10.0	2.3

Crude death rate determined by dividing number of deaths for each sex by the estimated number of each sex in the population in 1974. Estimate of population from Man in the Arctic Research, ISER, University of Alaska.

source: Vital Statistics, 1974, Alaska Department of Health and Social Services, Division of Pulbic Health, Health Information Systems.

This male to female ratio is similar to that of the United States (United States figures have been refined for age while Alaska figures have not been). The male/female ratio in the United States is highest for (1) homicide, (2) bronchitis, emphysema, asthma, (3) accidents, (4) suicide, and (5) cirrhosis of the liver (Table 5).

Table 5. Age-adjusted Death Rates for Specified Causes, United States, 1974.
(per 100,000 population)

Causes of Death *	Female	Male	Both Sexes
All Causes	492.9	877.8	666.2
Major Cardiovascular Diseases	228.1	413.7	310.8
Diseases of heart	159.2	323.6	232.7
Hypertension	1.7	2.6	2.1
Cerebrovascular diseases	54.9	66.5	59.9
Arteriosclerosis	6.9	8.6	7.6
Malignant Neoplasms	109.2	162.3	131.8
Accidents	23.8	69.4	46.0
Motor vehicle accidents	10.9	33.2	21.8
All other accidents	12.8	36.2	24.2
Influenza & Pneumonia	12.8	22.6	16.9
Cirrhosis of the liver	9.7	20.7	14.8
Diabetus mellitus	12.7	12.2	12.5
Suicide	6.7	18.2	12.2
Homicide	4.6	17.3	10.8
Bronchitis, Emphysema, Asthma	4.3	15.9	9.2
Tuberculosis, all forms	0.7	2.1	1.3

*Causes of Death according to Eighth Revision, International Classification of Diseases, adapted, 1965

source: U. S. Department of Health, Education, and Welfare, Public Health Service, Health Resources Administration, National Center for Health Statistics, *Vital Statistics of the United States-Advance Report, Final Mortality Statistics*, 1974, Vol. 24 (II) supplement, February 3,1976, Washington, D.C. : U'S' Government Printing Office, 1976.

That male deaths most significantly exceed female deaths in accidents, homicide, suicide, alcoholism and diseases commonly thought to be related to stress, e.g., diseases of the heart and asthma, suggests an association between health and longevity on the one hand and life style and psychological orientations on the other. It is frequently suggested that pressures in men's day-to-day lives affect their health and longevity. Most men have major responsibility for supporting a family. This requires a full time, lifetime commitment to work, which may deprive men of options to quit unsatisfying or stressful jobs, to change occupations in mid-life, or to take a few years vacation from work to pursue other interests. Furthermore, men's status is so closely linked to getting ahead that they must continually compete and achieve, which may create considerable stress.

Understanding the social-pyschological components of health and longevity is important to both sexes. If, indeed, the pressures of work, career, and support of families are associated with men's health and longevity, the question is, will women's rates of heart disease, alcoholism, asthma, and suicide rise as they increasingly enter the labor force, become career-oriented, and assume more responsibility for family support? The funding limitations of this study did not permit a comparison of the health status of working women with that of non-working housewives and of men. Such research could enhance health planning as well as economic planning about the organization of work in Alaska.

Sex Differences in Health Insurance Coverage

It seems reasonable to assume that the frequency with which individuals use medical services will hinge on the possession of health insurance. In formulating the questions for this study, we asked if there were sex differences in incidence and adequacy of health insurance coverage, and if the proportion of Alaskans with health insurance was comparable to national averages.

In the U.S. in 1970, 77 percent of the population had hospital coverage and 41 percent had major medical coverage.[11] Figures for Alaska that appear in a U.S. Department of Health, Education, and Welfare publication must be in error for they indicate only about 9 percent of the population insured for hospitalization and a smaller percentage for medical.[12] Our partial survey of health insurance coverage--of military, state, federal, Anchorage municipal, and teamsters employees--indicates 69,400 employees covered, which represents an estimated 176,881 total coverages (Table 6). This partial figure alone represents 17 percent of the estimated 1975 Alaska population.

Table 6. Estimates of Number of Employees and Dependents Covered by Health Insurance in Selected Employment Places, the Military, and the Teamsters Union.

Employer	Carrier	Dependent Coverage	Employees* Covered	Coverages
U.S. Government	Aetna-Blue Cross	yes	10,000	
State of Alaska	Blue Cross	yes	7,800	
University of Alaska	United of Omaha	yes	3,300	
Anchorage Municipality	Metropolitan Life	yes	2,200	
Anchorage School District	Blue Cross	yes	2,700	
Military	National Service Health Insurance	yes	25,400	
Teamsters	Self-funded	yes	18,000	
Total			69,400	176,881**

*Estimates of numbers of employees covered provided by staff in administrative offices of above organizations.

** The estimate of coverages was derived in the following manner. First, an estimate was made of the number of single and married persons among the insured employees and the number of dependents covered. The assumption was that the categories shown in the Bureau of Census publication, *Detailed Characteristics-Alaska*, 1970, Table 165, p.3-273, are applicable to this group of employees. The percentages of single, married, spouse absent, widowed and divorced calculated from the data in Table 165 were applied to this number of employees. It was assumed that single persons insure only themselves, that married persons, both male and female, insure the average Alaskan family of 3.45 persons, that the spouses absent, widowed, and divorced persons insure the average family less one person, or 2.45 persons except for those few widowed and divorced over age 50 who were included with the single persons in this estimate. The average family size is calculated from data in Table 155, p.3-253, of *Detailed Characteristics-Alaska, 1970.* The number of persons in the family is determined by combining the number of parents in a two-parent family, tne number of parents in a one-parent family, and the number of children under eighteen years of age, and dividing this total by the number of families.

An official of a major Alaska insurance company, Blue Cross, estimated that 98 percent of Alaskans who work for employment places eligible for group coverage are covered for health insurance. He attributed this high rate of coverage to employers' interest in keeping a potentially mobile work force stationary and small employers' interest in diverting employees from joining unions.[13]

Nationally, there is no difference in the proportions of males and females with health insurance.[14] However, this finding may be misleading because it conceals the fact that coverage for many women is discontinuous. Housewives covered by their husbands' policies lose their benefits if they divorce, become widowed, or if their husbands become unemployed.

The extensiveness of health insurance does not speak to its adequacy. National task forces on health insurance concluded that private insurance companies discriminate against women and deny needed benefits for women's medical care. Companies habitually offer inadequate coverage for maternity care and single women may be denied maternity or pregnancy benefits. A respondent for this study who is pregnant is experiencing financial duress. Though her insurance covers pregnancy, benefits are not paid until after the delivery while the hospital requires payment in advance. Many companies offer limited coverage for "diseases of female reproductive organs." Few companies cover voluntary sterilization.[15] In Alaska, federal and state (except University of Alaska) employees are not covered for voluntary sterilization, although Anchorage municipal and school district employees are covered (Table 6).

The adequacy of women employees' health insurance protection may be further jeopardized by the recent United States Supreme Court ruling (General Electric Company v. Martha V. Gilbert, et. al., December 7, 1976) which held that an employer's disability income-protection plan which fails to cover pregnancy is not in violation of Title VII of the 1964 Civil Rights Act. Vasectomies, circumcisions, prostatectomies, sports injuries, elective cosmetic surgery and disabilities incurred in the commission of a crime or during a fight all fall within the scope of the company's disability payment plan. Only pregnancy is excepted. This court decision directly opposes a 1972 guideline of the Equal Employment Opportunity Commission (EEOC), the agency charged by Congress with the duty of clarifying and enforcing Title VII. The EEOC documents had contended that "....benefits shall be applied to disability due to pregnancy or childbirth on the same terms and conditions as they are applied to other temporary disabilities."

In addition to the above inequities, premiums for health insurance are often higher for women than men. For example, in Alaska, Mutual of Omaha's group health insurance rates are higher for women than men until age forty, after which the reverse obtains. A company offical attributes the different rates in the under forty year old group to the propensity of men under forty to use medical services less than women.[16] It appears likely, however, that the higher rates for women under forty have to do with the potential medical expenses of women in the child bearing age. This was confirmed by information from another insurance company which reduces rates for women if they can certify to sterilization.[17] This company charges higher rates for women at all ages because of their propensity to use health services more than men.

Nationally, a small difference exists in the proportion of women and men covered by non-group health insurance; 17 percent of women compared to 13 percent of men.[18] Non-group health insurance is not only more costly but is less comprehensive than group.

While an equal proportion of males and females are uninsured for health, a sex difference undoubtedly exists in the ability of male and female uninsured persons to pay the costs of health care. Since women tend to have lower incomes than men, uninsured women are likely to encounter greater difficulty in paying for medical services. If they are elderly, Native, or below the poverty level, then they have access to medicare, medicaid, and health services provided by the Alaska Area Native Health Service. But in 1970, nearly 80 percent of Alaskan women were white, 98 percent were below age 65, and 92.7 percent of Alaskan families had incomes above the poverty level.[19] This large proportion of Alaskans who lack access to publically supported health care services undoubtedly includes uninsured women whose incomes are too low to purchase adequate health care. Some women in this category known to Alaska Women's Resource Center simply postponed medical treatment indefinitely for this reason.

Overall data on women, as well as men, who are denied health services because of an inability to pay for them is essential for health planning.

Poverty and Health

In addition to the difficulty encountered by low income women in paying the costs of crisis health care, their poverty impedes their ability to maintain a basic level of health for themselves and their families. Poverty certainly affects men as well as women, but families headed by women have a mean annual income of less than half the amount averaged by male-headed households. Accordingly, the proportion of poverty level families headed by women is rapidly increasing (see Women and Employment). Since it is women who bear the risks of pregnancy and childbirth, and usually it is they who are most directly responsible for child care, women's poverty may have more immediate consequences for their families' health even in male-headed households.

Dr. Martha Wilson, a leading health expert at the Alaska Native Medical Center, considers poverty a major cause of Alaska women's health problems. "My years of experience as an Alaskan physician have revealed innumerable instances of malnutrition and its effects in low income mothers and their children," she declares. While studies of the effects of maternal malnutrition on newborn infants are inconclusive, there is some evidence that nutritional deprivation increases the likelihood of a mother's experiencing complications during pregnancy and birth. Because poor women often cannot afford or do not have access to abortion, they may be forced to bear unwanted children who will add to the family's burden of providing adequate nourishment to its members.

Overcrowding, general disrepair, and lack of adequate heat, water supply, sewage systems and waste disposal characterize many low income residences. Such factors, representing the inability to maintain control over one's most intimate environment, can contribute not only to more frequent illnesses and accidents, but to the mounting anxiety, born of continual stress, which ends in depressive reactions, physical abuse, alcoholism, obesity, adolescent pregnancy, drug dependency, and other psycho-physical symptoms of prolonged distress.

Low income women and their families would benefit perhaps more than any other group from a comprehensive and personalized program of preventive medical care, health education, and nutritional planning.

Special Problems of Women

In this section we deal not with the most serious health problems of women, e.g., cancer, but with problems that are unique to women--reproductive health services and abortion.

Reproductive Health Services

Most Alaska women receive health care from private physicians but a growing number use other health care providers. One of increasing importance is the family planning center. Nationally, in 1974, 3.4 million women used family planning services.[20] Alaska has seven Family Planning Centers, located at Anchorage, Fairbanks, Juneau, Bethel, Kenai, Kodiak, and the Yukon-Kuskokwim area. Precise data on the numbers served by these centers are not available but at the Anchorage Center alone, staff members estimate that they serve more than 3,000 persons a year.[21]

The Family Planning Centers provide reproductive health services--birth control information, pregnancy tests, pre and postnatal care, and family planning and counseling. In addition, they provide an important preventive service for cervical cancer, the pap smear. According to a recent publication on women's health, 12,000 women die each year from undetected cervical cancer, yet only an estimated 20 percent of American women have this test.[22]

Initially, Family Planning Centers were set up for the poor, but women from all socio-economic classes use them. A staff member from the Anchorage Center estimated that only about one fourth of their clients are close to or below the poverty level; the rest have higher incomes.[23] Those who can afford private medical care state a preference for the Family Planning Center. A Center staff member surveyed the staff regarding the proportion of clients who express a preference for the Center over private practitioners. Those surveyed agreed that over 80 percent of their clients state a preference for the Center to private practitioners; the reason usually given is that they prefer being treated by female practitioners.[24]

A major obstacle to use of Family Planning Centers stems from inadequate funding. The Anchorage Center operates on a $250,000 annual budget, about 40 percent provided by the federal government (Department of Health, Education and Welfare), roughly 50 percent by the municipality, approximately 10 percent from patient's fees (based on a sliding fee scale), and an insignificant amount from the state whose total appropriation for family planning in FY-76 was $40,000.[25] At the present funding level, staff cannot adequately meet the demand for services. For instance, the clinic schedules appointments one day every two weeks. The appointment schedule is filled by about 9:30 on that day, and those who phone later are told to call back in two weeks for an appointment. If they do not phone early enough the following two weeks, they may again receive no appointment.[26] The staff at the Anchorage Center is too limited in size to engage in outreach activities, to advertise their services to the community. The most deprived group in terms of access to Family Planning Centers, of course, is rural women, because of the concentration of the Centers in large towns and cities.

Abortion

The Supreme Court supported the right to abortion in a 1973 ruling that a state could not intervene in an abortion decision between a woman and her physician during the first three months of pregnancy. Alaska legalized abortion in approved facilities in 1970. Nonetheless, abortion is still a highly sensitive issue in Alaska, as elsewhere. An official of the State Division of Public Health said that the problem with abortion is the many philosophical issues it raises. Other officials referred to abortion as a highly political issue. Most of our contacts showed discomfort when discussing the issue.

In FY-75, 1,262 abortions were performed in Alaska. This represents an estimated 14.5 percent of all pregnancies that year excluding those that terminated in miscarriage or in still born births.[27] This estimate suggests a considerable demand for abortions; a demand which would undoubtedly be larger if constraints against use of abortion services did not exist (these will be discussed later). Table 7 shows the characteristics of these abortion patients. It is striking

Table 7. Characteristics of Abortionees.

Reason for Abortion	Number	Percent
Unwanted Pregnancy	1230	97.5
Other	32	2.5
Total	1262	100.0
Marital Status		
Married	374	29.6
Never Married	676	53.6
Divorced, separated, widowed	186	14.7
Unknown	26	2.1
Total	1262	100.0
Race	997	
White	997	79.0
Native	151	12.0
Other	114	9.0
Total	1262	100.0
Age		
14 and under	13	1.0
15-19	400	31.7
20-24	432	34.2
25-29	236	18.7
30-34	100	7.9
35-39	56	4.4
40+	14	1.1
Not Stated	11	0.9
Total	1262	100.0
Median Age	20	
Mean Age	20.8	

source: Abortion Report, Alaska Department of Health and Social Services, Division of Public Health, Health Information System.

that the overwhelming majority of abortions performed (97.5 percent) were for unwanted pregnancies. Typically, the abortionee is white (79 percent), unmarried (68 percent) and young (median age is 20). Young unmarried women are likely to constitute a low income group. Therefore, we expected a large number of abortion payments to come from medicaid, the medical assistance program for the poor. This was not the case, however; only 11 percent of abortions were paid for by medicaid (Table 8). This may reflect former constraints in the medicaid program. Medicaid, the only federal source of funds for abortion payments, limited its payments to in-hospital abortions and to medically necessary abortions. As of November, 1976, however, medicaid lifted these restrictions on abortion payments and made them available on the same basis as all other medical payments.[28]

Table 8. Method of Payments for Abortion, Alaska, FY-75.

	N=1262 Percent
Self	55.9
Insurance	14.3
Welfare *	11.0
Government Hospital *	8.5
Other	2.4
Unknown	8.0

* The assumption is that these categories refer to Medicaid and the Alaska Area Native Health Service program.

Source: Abortion Report, Alaska Department of Health and social Services, Division of Public Health, Health Information System.

Further, we expected young unmarried women to be insured for health less frequently than the general population of women, and this proved to be the case; only 14.3 percent of abortions were paid for by insurance. Similarly, only a small proportion (8.5 percent) were paid for by the Alaska Area Native Health Service. Thus, the majority of abortions, 55.9 percent were paid for by individuals or their parents. This may have posed considerable stress for some low income women without access to financial assistance.

Abortion services are costly in Alaska. Private physicians seldom perform abortions, but the few who do charge about $290 for office abortions. The Alaska Hospital and Medical Center charges about $315 for abortions performed in a doctor's office ($250 for the doctor and $65 for laboratory work). (An RH shot is an additional $70.) Hospital abortions at the Alaska Hospital and Medical Center costs about $800.[29] These costs are considerably higher than those charged at an abortion clinic in Seattle where the doctor's fee is $150 and hospital fees range from $75 to $125.[30]

Abortion costs for rural women are higher than for others considering that they must travel to cities for abortions. Nearly 95 percent of all abortions in the state in FY-75 were performed in Anchorage and Fairbanks, and 75 percent of all abortions were performed in Anchorage alone, primarily at the Alaska Hospital and Medical Center (Table 9).

Table 9. Place of Abortion, Alaska, FY-75.

	N=1262 Total	Percent	Percent
Anchorage			75.2
Alaska Hospital and Medical Center	876	69.4	
Alaska Native Medical Center	73	5.8	
Fairbanks			19.1
Fairbanks Memorial Hospital	226	17.9	
Fairbanks Medical and Surgical Clinic	15	1.2	
Southeastern Alaska	20	1.6	1.6
Other			4.1
Kodiak	33	2.6	
Central Peninsula	8	0.6	
Valley-Palmer	2	0.2	
Places not identified	9	0.7	
Total	1262	100.0	100.0

source: Abortion Report, Alaska Department of Health and Social Services, Division of Public Health, Health Information System.

The Alaska Area Native Health Service formerly performed abortions for Native women but stopped this practice because four of its five obstretrician-gynecologists did not perform abortions because of religious conviction and the fifth was overburdened by the responsibility for all abortion work.[31] At the present time, the Alaska Area Native Health Service contracts with the Alaska Hospital and Medical Center for all abortions.

Experts explain the near absence of abortion services in places other than Anchorage and Fairbanks in terms of the religious affiliations of some of the hospitals and clinics in small places and the lack of medical staff there with experience in abortion procedures.[32] The concentration of abortion services in Anchorage and Fairbanks means that rural women wanting abortions must pay travel costs to these places, and often room and board.

The need to travel for abortions may also create emotional stress. The abortion itself is stressful for many women. An unpublished survey by the Alaska Native Medical Center indicated that 26 percent of abortion patients were more than "normally" upset, that is, they had excessive fear and/or guilt. If the experience itself upsets women, then certainly having to travel, often to a strange place, to face the abortion alone may create additional stress.

A further obstacle to the use of abortion services may be posed by the Alaska Hospital and Medical Center's requirement for abortion patients (and others receiving elective surgery) to pay cash in advance. A single woman, clerical worker, interviewed for this study, was in a panic when she confronted her pregnancy, her mate's refusal to pay the costs of an abortion, and the Alaska Hospital and Medical Center's requirement to pay cash in advance. She lacked the cash, and had no source for a loan. After agonizing for a week, she decided to use her rent money for the abortion. Another subject of the study recounted a painful experience in getting a different type of elective surgery, a tubal ligation. She felt distressed about the operation but was convinced that her sanity and her family's stability required it. She needed gentle, understanding care. Her first contact at the Alaska Hospital and Medical Center was with the business office. The clerk brusquely shoved forms at her and told her no action could be taken until she produced $550 advance payment on her hospital bill, estimated at $750. She had already paid the physician $420 for the surgery. She handed the clerk $400 cash from her pocket and proceeded to write a check for the other $150. The clerk refused the check, stating that she would have to pay cash in hand for the operation. She was able to procure the cash, but still she felt de-humanized by the treatment she received. Several months after the event, her anguish, not about the surgery, but about the humiliating treatment she had received, had not subsided.

The legalization of abortions in Alaska represents an important stride in enabling women to decide how they will use their bodies. But abortion services are organized in ways that create obstacles to their use. The concentration of services in two places in the state, the costs of transportation to these places for women who live elsewhere, and the costs of abortion itself for women who are unable to pay for it undoubtedly discourages women from getting abortions. If so, these conditions promote the production of unwanted offspring, a situation which is damaging to the emotional well being of both mother and child. Further, services are organized in ways that create unnecessary emotional stress for women undergoing an already stressful situation, by requiring cash payment in advance, and by the stigmatization which such practices imply.

Physicians' Attitudes

The medical profession (physicians) is predominantly male in Alaska (and elsewhere). What effects does treatment by a predominantly male profession have on women users of health services? Time and funds were not available for systematic research on this issue, but we did interview twenty women regarding their experiences with health services. Our findings from these interviews suggest areas that require further study and policy attention.

In Alaska, 93.6 percent of all physicians are male (Table 10). This percentage is slightly higher than that for the United States, which is 90.8 percent.[33] Male dominance also characterizes the medical specialty that deals exclusively with women's health--obstetrics-gynecology: 33 of 36 or 91.7 percent of obstetrics-gynecologist specialists in Alaska are men.

Table 10. Private Physicians and Hospital Administrators by Sex, Alaska, 1976.

	Total	Percent Male
Physicians	533	93.6
Private Practice	363	93.9
U. S. Public Health Service	80	91.2
Military	90	94.4
Obstetrics-Gynocology	36	91.7
Private & Federal excluding Military	27	88.9
Military	9	100.0

source: 1976 Health Directory, Alaska State Medical Association, Anchorage.

Physicians are the central policy makers regarding physical health care. They decide diagnosis, inpatient or outpatient care, treatment methods, treatment duration, and prognosis. The large majority of women patients in the state, then, are subjected to male definitions and interpretations of their disorders.

"Doctors often state or act as if the problem is our own neuroses no matter how sick we are"--a typical complaint by women respondents. For example, one woman related a ten year history of treatment for colitis, accompanied at times by internal bleeding. Three physicians were consulted. After being unable to discover the cause of the bleeding, each physician told the woman that she was a very anxious person. The woman did not perceive herself as having psychological problems and wondered how the doctors could when they had known her for only several hours and had confined their discussion to physical symptoms. When the third doctor patted her on the knee patronizingly and said she was an anxiety-ridden women, the patient asked for evidence for that conclusion. After thinking a minute, the doctor said, "Twice you asked if the bleeding could mean cancer." The woman protested, "But I am in a cancer prone age, and internal bleeding is a symptom of cancer." Shortly after the doctor left the hospital room, a special consultant arrived, to whom the patient expressed her indignation about the patronizing attitude of the previous doctor. The consultant told her that the medical profession has incomplete knowledge about colitis and further that medical schools often explicitly or implicitly convey the notion that women are neurotic, anxiety ridden, and hypochondriachal. This woman did not have cancer. Had she, the story would have been more dramatic. But other women told such dramatic stories. For example, one woman, alarmed by chest pains, consulted her doctor who told her she had indigestion caused by tension and anxiety. Dissatisfied, she went to a medical clinic where, after testing, the doctor told her she had suffered a heart attack.

Along these lines, another informant told of having gone to a male physician with severe stomach cramps. The examination revealed no observable cause. The physician recommended psychiatric treatment.

Women also complained about male physicians treating them like children, as if they were unable to understand the functioning of their bodies or capable of making decisions about its treatment. When undergoing exploratory breast surgery, the women are told that they may awaken minus a breast. Several women protested; they wanted to participate in making that decision, but they were ignored.

Not all of the women interviewed expressed dissatisfaction with their medical care, but more than half did, and their complaints are similar to those raised by the women's health movement.[34]

The women's health movement raises another issue not mentioned by our respondents, that is, physician's ideology about female disorders. In examining obstretics-gynecology books, they found evidence of the same kind of sex bias described in the previous chapter in the mental health profession. In one gynecology text, a section on the psychology of women advises doctors to interview women patients when they first see them to measure their "femininity" quotient. The text advises doctors to observe how women patients respond to their questions, whether in a feminine way or in a domineering, demanding, masculine, or aggressive way. The text states: "the traits that compose the core of the female personality are feminine narcissism, masochism, and passivity," and that a woman bases an increased sense of her own value on her image of the person who loves her."[35] Another text states that the only real way to happiness for women is marriage, based upon love:

> Coital participation and experimentation by the adolescent or adult woman in settings other than marriage not only seldom resolves her personal problems, but more often results in guilt, shame, and loss of self respect. Few unwed pregnant women have extolled the pleasures of the event or events which led to the conception.[36]

The feminist authors of a book on women's health consider it ironic that doctors are socially sanctioned as sexual conselors and advisers, and yet are relatively uneducated about sexuality, especially female sexuality. Until recently, medical schools had no courses on human sexuality. The majority of medical schools still do not require such courses. When they are offered, they are usually optional.[37] Making a course optional, of course, implies that it is not very important.

The sex imbalance in the medical profession is undoubtedly due in part to discriminatory practices in medical school admissions practices. But women are also complicit in maintaining the sex imbalnce by failing to aspire to and pursue medical careers. Their low aspirations are due to a lifetime of socialization to housewife roles and traditionally feminine careers, and to sex bias in education which produces academic weaknesses that discourage women from aspiring to scientific and medical careers. A recent student research mentioned in the chapter on education is illustrative on this point. The research involved a questionnaire to 196 tenth to twelfth graders in Anchorage regarding their career aspirations. The girls who were interested in professions often did not aspire to top positions. Four girls interested in medicine aspired to be medical technicians or a paramedic. Another interested in dentistry, aspired to be a dental hygienist. And still another interested in the veterinary field, aspired to be a veterinary assistant.[38] Overcoming the sex imbalance in the medical profession would involve multiple changes in socialization and education practices. One possibility would be a remedial program for women to overcome the effects of past discrimination in education in order to interest women in careers such as medicine.

RECOMMENDATIONS

Changing Health Status of Women

Alaska males have a shorter life expectancy and higher death rates for most major causes of death than Alaska females. The male death rate exceeds the female most significantly in suicide, accidents, diseases of the heart, homicide, and alcoholism. Most of these disorders are thought to be associated with stress. The question arises, as women become increasingly like men in their growing commitment to full time work, to careers, and to responsibility for family support, will women's rates of heart disease, alcoholism, and suicide increase. We recommend that the State Legislature provide funds for a study which compares working women with housewives and with men as a tool for health planning and for economic planning about the organization of work in Alaska.
p

Women's Health Insurance Coverage

Females appear to be covered for health insurance as frequently as males, but national evidence suggests that private insurance companies discriminate against women and deny them needed medical benefits. Companies habitually offer inadequate coverage for maternity care, and few companies cover voluntary sterilization. In Alaska, federal and state employees (excluding those at the University of Alaska) are not covered for voluntary sterilization. The health care problem for women is compounded by the recent Supreme Court ruling (General Electric Company v. Martha V. Gilbert et. al., December 7, 1976) which held that an employer's disability income protection plan which fails to cover pregnancy is not in violation of Title VII of the 1964 Civil Rights Act. Vasectomies, circumcision, prostatectomies, sports injuries, elective cosmetic surgery, and disabilities incurrred in the commission of a crime or during a fight all fall within the scope of the company's disability payment plan. Only pregnancy is exempted. The State Legislature should order an investigation of the adequacy of health insurance coverage for employees of the state of Alaska; in addition, the legislature could direct the State Commissioner of Insurance to issue a ruling forbidding any form of sex-based differential coverage in the group or individual health insurance plans offered by any insurance companies or agents within the state of Alaska.

Furthermore, it is likely that uninsured females who lack access to publically supported health services encounter more difficulties than men in similar situations in paying the costs of health care because women earn on the average significantly less than men. The State Legislature should direct the Alaska Division of Health to systematically determine the number of women (and men) who lack health insurance and access to publically supported health services, and who are unable to pay the cost of health care, and to develop programs to correct this deprivation.

Reproductive Health Services

Reproductive health services in Alaska, provided by Family Planning Centers, furnish birth control information, pregnancy tests, pre and postnatal care, family planning and counseling, and most importantly, pap smears for cancer prevention. The Family Planning Center in Anchorage faces an ever growing demand for services from women of all socioeconomic classes, many of whom assert a preference for these services over those provided by private practitioners. Yet, the Anchorage Family Planning Center is unable to adequately meet this growing demand or advertise its program at present funding levels. The State contributed a total of only $40,000 for Family Planning Centers in FY-76. Furthermore, as the seven Family Planning Centers in the state are located in large towns and cities, rural women are deprived of these services. The State Legislature should increase the appropriation for the Family Planning Centers sufficiently to 1) increase staff size so that the Centers can meet the growing demand for services and advertise its program to additional women and 2) to extend the network of Centers to rural areas.

Abortion Services

The legalization of abortions in Alaska represents an important stride in enabling women to decide how they will use their bodies. But abortion services are organized in ways that create obstacles to their use. One obstacle is the concentration of services in two cities in the state--Anchorage and Fairbanks, allegedly because of the lack of staff trained in abortion procedures in other places. Additional barriers are the costs of transportation to these places for women who live elsewhere and the high costs of the abortion itself for women who are unable to pay them and lack access to financial assistance from public agencies or relatives. These barriers undoubtedly discourage women with unwanted pregnancies from getting abortions, and in so doing, they promote the production of unwanted offspring, a situation that is damaging to both mother and child. To overcome these barriers to the use of abortion services, the State Legislature could appropriate funds for the Alaska Division of Public Health to establish a more widespread network of abortion services, especially in rural areas, to train staff in abortion procedures, and to provide financial assistance for abortion costs for women without the necessary means.

Sex Imbalance in the Medical Profession

Women interviewed for this study complained that male physicians treated them as if they were neurotic or childlike and incapable of making major decisions about the care of their bodies. A substantial proportion of women using Family Planning Centers explicitly stated a preference for reproductive services provided by female rather than male practitioners. Males overwhelmingly predominate in the medical profession; 93.6 percent of Alaska physicians are men. This sex imbalance is due not only to discrimination in medical schools admission practices, but also to women's failure to pursue medical careers. Their disinterest undoubtedly reflects in part sex bias in the schools which discourages women from pursuing math and scientific subjects, subjects necessary for medical careers. To encourage the entrance of women into medical careers, the State Legislature could direct the Alaska Department of Education to provide women remedial programs in science and math to overcome the effects of past sex bias in education.

Footnotes

1. Helen I. Marieskind, "Helping Oneself to Health," Social Policy, Vol. 7, No. 2, 1976, pp. 63-67.

2. Ibid.

3. Alaska Department of Health and Welfare. Morbidity Survey of Selected Urban Areas in Anchorage and Fairbanks, Alaska. San Francisco: Scientific Analysis Corporation, 1970; Greater Anchorage Area Borough Health Survey, 1973; Alaska Health Manpower Corporation, A Health Manpower Survey for the State of Alaska, Anchorage: 1972; Lynn Chase and Brian Saylors Health Service Area Plan (for Health Service Planning Task Force), South Central Planning and Development, Anchorage: March, 1975.

4. Alaska Department of Health and Social Services, Division of Public Health, Alaska Mental Health Needs Assessment, 1976.

4(a). Dr. Martha Wilson, Chief, Office of Program Development, Alaska Area Native Health Services, personal communication, January 3, 1977.

5. Alaska Department of Health and Social Services, Health Information Systems, 1974 Vital Statistics, Provisional Figures, April, 1976, p. 1.

6. U.S. Department of Health, Education and Welfare, Public Health Service, Health Resources Administration. Health: United States, 1975. Publication No. (HRA) 76-1232, Table CD.I.15, p. 205.

7. Alaska, 1974 Vital Statistics, p. 1.

8. United States Department of Commerce, Bureau of Census, 1970 Census of Population: Detailed Characteristics - Alaska Final Report PC (1)-D3, Washington, D. C.: U.S. Government Printing Office, 1972, Table 138, p. 3-205; Table 189, p. 3-371.

9. Alaska Vital Statistics, p. 2; Health: United States, Table CD. II. 14, p. 371.

10. Alaska Depratment of Health and Social Services, Division of Public Health, Health Information Systems, December 1, 1976.

11. Health: United States, 1975, Table A. 24, p. 53.

12. Ibid, Table A. 12, p. 29.

13. David Frazier, Blue Cross of Washington and Alaska, Anchorage, personal communication, December 2, 1976.

14. Health: United States, 1975, Table A. 24, p. 59.

15. Deborah A. Lewis, "Insuring Women's Health." Social Policy, Vol. 7, No. 1, 1976, pp. 19-26.

16. Roger Simke, Mutual of Omaha Insurance Co., personal communication, November 23, 1976.

17. Martha Dent, Clary Insurance Co., Anchorage, personal communication, November 16, 1976.

18. Health: United States, 1975, Table A. 26, p. 59.

19. Detailed Characteristics, Alaska, Table 138, p. 3-203, Table 139, p. 3-206, Table 208, p. 3-425.

20. Lewis, p. 24.

21. Brenda Civish, Anchorage Family Planning Center, personal communication, December 8, 1976.

22. Boston Women's Health Collective, Our Bodies Ourselves, New York. Simon and Schuster, 1971.

23. Brenda Civish, Anchorage Family Planning Center, personal communication, December 2, 1976.

24. Ivey Brooks, Anchorage Family Planning Center, personal communication, December 28, 1976.

25. Brenda Civish, Anchorage Family Planning Center, personal communication, December 2, 1976

26. Ibid.

27. This estimate is derived by dividing the number of abortions in FY-75 by the total number of abortions and estimated number of resident live births in that year. This gives the proportion of abortions per pregnancies except for those pregnancies that terminated in miscarriages or still born births. As the number of resident live births in FY-75 is not available, it was estimated by applying a 6 percent increase to the number of 1974 resident live births, the same percentage by which resident live births increased between 1973 and 1974.

28. John Lappo, Alaska Department of Health and Social Services, Division of Public Assistance, Medical Assistance Office, personal communication, December 28, 1976.

29. Carolyn Wallace, abortion counselor, Alaska Hospital and Medical Center, personal communication, October 28, 1976.

30. Swept Wing Airport Center, Seattle.

31. Dr. Kenneth Fleshman, Alaska Native Medical Center, personal communication, November 2, 1976.

32. Carolyn Wallace, abortion counselor, Alaska Hospital and Medical Center, personal communication, October 28, 1976.

33. Health: United States, 1975, Table B. I. 2, p. 109.

34. Boston Women's Health Book Collection, Our Bodies Oursevles. New York: Simon Schuster, 1971.

35. J. Robert Wilson et al, Obstetrics and Gynecology, 4th Edition. St. Louis: The C. V. Mosby Co., 1971, pp. 43-44, cited in Ibid, p. 351.

36. Gardener Sprague, "The Psychosomatic Aspects of Obstetrics," in Nicholson Eastman and Lows Hellman (eds.) Williams Obstetrics. 13th Edition. New York: appleton Century Crafts, 1966, p. 335, cited in Ibid., p. 351.

37. J. D. Cade and W. F. Jessee, "Sex Education in American Medical Schools," Journal of Medical Education, Vol. 46, January, 1971, pp. 64-68.

38. Diane Frank. "Occupational Choices of Youth." Term Paper, University of Alaska, Anchorage, Sociology 493, Fall, 1976.

THE JUSTICE SYSTEM

I. RAPE
II. WOMEN OFFENDERS
III. BATTERED WIVES
IV. DIVORCE
V. LEGAL PROFESSIONALS

By Joan M. Katz

RAPE

FACTS

ALASKA HAS THE HIGHEST RAPE RATE IN THE NATION.

AT LEAST 50 PERCENT -- AND MAYBE 80 PERCENT -- OF ALASKA'S RAPES ARE NOT REPORTED TO THE AUTHORITIES.

IN 1975, ARRESTS WERE MADE IN ONLY 34 PERCENT OF ALASKA'S VERIFIED REPORTED RAPE CASES.

IT IS NO CRIME IN ALASKA FOR A MAN TO SEXUALLY ASSAULT HIS WIFE.

ALASKAN VICTIMS ARE OFTEN REQUIRED TO TAKE LIE DETECTOR TESTS AND ARE MADE TO REVEAL DETAILS OF THEIR PERSONAL LIVES, UNRELATED TO THE ALLEGED RAPE, ON THE WITNESS STAND.

THE DIVISION OF CORRECTIONS SELDOM PROVIDES PSYCHIATRIC TREATMENT FOR CONVICTED RAPISTS ALTHOUGH FREQUENTLY REQUIRED TO DO SO BY JUDICIAL ORDER.

ISSUES

SHOULD ALASKA'S RAPE LAW BE AMENDED TO:

1. ELIMINATE ALL EXPLICIT AND IMPLICIT REQUIREMENTS FOR USE OF PHYSICAL FORCE BY THE DEFENDANT AND ACTUAL RESISTENCE BY THE VICTIM?

2. ELIMINATE SPOUSAL IMMUNITY IN RAPE CASES?

3. ESTABLISH A DEGREE STRUCTURE FOR RAPE WITH PUNISHMENTS VARYING ACCORDING TO THE SERIOUSNESS OF THE DIFFERENT DEGREES?

4. TIGHTEN THE LIMITATIONS ON INTRODUCTION OF EVIDENCE CONCERNING THE VICTIM'S PRIVATE LIFE?

5. PROVIDE GREATER GUIDANCE IN SENTENCING OF CONVICTED RAPISTS?

SHOULD POLICE AND DISTRICT ATTORNEYS HAVE SPECIALIZED RAPE UNITS?

SHOULD POLICE AND DISTRICT ATTORNEYS ATTEMPT TO USE FEMALE PERSONNEL TO INVESTIGATE AND PROSECUTE RAPE CASES?

CHAPTER I - RAPE

A. Introduction -- Statistical Background

Rape has been described as the "ultimate violation of self (short of homicide)."[1] The unique characteristics of the crime have been summarized as follows:

> Rape is one of the most brutal of all crimes. . . . [R]ape victims need sustain no physical injury to suffer severe and lasting pain; few crimes are better calculated to leave their victims with lasting psychic wounds.
>
> Rape is one of the most feared of all crimes. Only murder ranks higher, as indicated both by the severity of the law's sanctions and by studies of the public's rating of various crimes.
>
> By its nature rape is unusually difficult for police to prevent or stop.
>
> Rape holds two unenviable records in recent FBI Uniform Crime Reports: it is the fastest growing of the Index crimes against the person; and among these it has the lowest proportion of cases closed by reason of arrest.[2]

Between 1960 and 1970, the rapes per 100,000 "eligible females" (those between five and seventy-four) rose nationally from 21.9 in 1960 to 41.3 in 1970.[3] The "pace of increase", according to a leading researcher, has reached a speed "out-stripp[ing] all other major categories of violent crime."[4]

In Alaska, the Criminal Justice Planning Agency maintains statistics on rape, including in its computations assaults with intent to commit rape, but excluding statutory rapes (consensual intercourse by females under 16). The data for 1974 reveals that Alaska's rape rate is 89 percent higher than the national rate. According to State figures, between 1968 and 1974 the rate of rape increased by 127 percent in Alaska and only 68 percent in the United States. Alaska's rate was the highest in the nation.[5] In 1974 there were 166 reported rapes in Alaska, or 49.3 rapes per 100,000 population.[6]

In 1975, 177 rapes were reported in Alaska, an increase of 11 over the 1974 figure, or seven percent. Anchorage experienced a 27 percent increase -- almost four times the statewide rise. Because of population increases, however, the overall trend from the 49.3 rate in 1974 to a 44.2 rate in 1975 was downward. The vagueries of rape reporting,[7] and fluctuations in rape rates over one year periods in the past make it impossible to know whether these figures actually represent a slowdown in Alaska's rape rate. (The rape rate in Alaska dropped by a few percentage points from 1969-1970, and then skyrocketed, almost doubling, from 1970 to 1971.)[8]

Given the fact that at least 50 percent of Alaska rapes go unreported to begin with,[9] it is particularly significant that at each step through the legal system, the prospect of bringing an offender to justice is diminished. At the outset, some reported rapes are "unfounded" by the police -- that is, a determination is made that rape as defined in the law did not in fact take place. Nationally, about 15 percent of reported rape cases are closed by police on this basis.[10] In Alaska, a comparison of Criminal Justice Planning Agency figures for "reported" and "actual" rapes in 1975, suggests that approximately 18 percent of reported rapes were "unfounded" in that year.[11] Yet Sam Barnard, the Alaska State Trooper in charge of rape investigations for the past two and one-half years states that, at most, one percent of all the rapes reported are actually knowing fabrications on the part of the victim.[12]

Verification of the existence of a crime, does not, however, necessarily result in arrest of a suspect. In 1975, again, only 49 of the 146 verified rapes, or 34 percent, were "cleared" by arrest -- 66 percent of the acknowledged crimes went unsolved. In Anchorage, where the number of reported and verified offenses was the highest, the clearance rate was only 22 percent.[13] The national clearance rate is 51 percent.[14] The Criminal Justice Planning Agency does not provide data on the number of arrested persons actually charged with rape, and the number of convictions, but it is known that ultimately only a small percentage of verified rape reports result in an offender's conviction. Nationally, of the 51 percent of offenders arrested, only 76 percent are prosecuted, and of these, 47 percent are acquitted or have their case dismissed.[15] One commentator reports that "Forcible rape has a lower conviction rate than any other crime listed in the Uniform Crime Report".[16]

Whether the justice system's shortcomings derive from society's unwillingness to acknowledge that rape does occur; inability to induce victims to report the rapes; inability of the police to establish a strong enough case to justify an arrest; inability of the prosecutor to piece his case together and convince a jury of the defendant's guilt; or a combination of these factors and possibly others as well, the system has failed the public in responding to the crime of rape. An examination of the current legal definition of the crime provides a starting point for analysis of the system's deficiencies.

B. Alaska's Rape Law: Changes Needed

1. Elements of the Crime

In Alaska, the crime of rape is defined in AS 11.15.120:

> Sec. 11.15.120. RAPE. (a) A person who (1) has carnal knowledge of another person, forcibly and against the will of the other person, or (2) being 16 years of age or older, carnally knows and abuses a person under 16 years of age, is guilty of rape.
>
> (b) A person who assists another to force or compel a third person to engage in a sexual act without consent is considered an accomplice to rape, irrespective of the legal status of that person with respect to the person forced or compelled to engage in a sexual act against his will.
>
> (c) For purposes of this section, the terms "carnal knowledge" and "sexual act" include sexual, oral and anal intercourse, with some penetration, however slight.

Subparagraph (a)(1) of this definition is the most critical; it contains the requirement that the "carnal knowledge" be achieved "forcibly" in non-statutory rape cases. The two implications drawn from this provision by defense attorneys are, first, that the defendant must himself have used physical force to achieve the carnal knowledge, and, second, that the victim must have physically resisted (otherwise the argument goes, it cannot be said that force was used to compel her to comply or that the rape was, in fact, "against [her] will"). Court cases in other jurisdictions have also applied this reasoning.[17]

It was just this requirement of force that was responsible for one assailant's fairly recent acquittal. The rape, which took place in mid-1975, was performed in an extremely short period of time in a bathroom located in a public facility. The defendant told the victim not to say anything, and she did not. He did not make a specific physical threat; she did not physically resist him. A member of the jury reported that it was the judge's instruction requiring victim resistance for a verdict of guilty that compelled jury acquittal. Yet, according to this juror, all members of the fact-finding body believed that non-consensual intercourse had actually taken place.

Lest the sequence of events depicted seem unrealistic, it might be noted that at the time of this rape, the police had on record five previous rape reports involving the same defendant using the identical modus operendi, with the same absence of overt force. Because, in part, of the impossibility of proving that what she experienced as rape was in fact an offense in the eyes of the law, the victim in the case described has stated that she would recommend against the filing of criminal complaints by other victims of rape.

In fact, Trooper Barnard, referred to previously, estimates that in approximately 50 percent of verified rape cases there is no actual use of force by the assailant. Moreover, the Trooper reports that victims "don't usually" fight back, or even scream.[18] Susan Brownmiller, an author who has published a comprehensive study of rape, suggests why:

> According to Menachem Amir's study, the assailant actually displays a dangerous weapon in no more than one-fifth of all police-founded cases of rape. Clearly, these are the cases a jury would most likely believe. But most rapes are not accomplished by means of a knife, a gun, a lead pipe or whatever. The force that is employed more often consists of an initial stranglehold, manhandling, beating, shoving, tearing at clothes, a verbal threat of death or disfigurement, the sheer physical presence of two, three, four, five assailants, etc. Without doubt, any of these circumstances can and does produce immobilizing terror in a victim, terror sufficient to render her incapable of resistance or to make her believe that resistance would be futile.[19]

Brownmiller continues with an analysis of the effect of victim terror on the resistance requirement:

> Currently employed standards of resistance or consent vis-a-vis force or the threat of force have never been able to accurately gauge a victim's terror, since terror is a psychological reaction and not an objective standard that can be read on a behavior meter six months later in court as jury acquittal rates plainly show. For this reason, [it has been] argued that the special burden of proof that devolves on a rape victim, that she resisted "within reason", that her eventual compliance was no indication of tacit "consent," is patently unfair, since such standards are not applied in court to the behavior of victims in other kinds of violent crime. A jury should be permitted to weigh the word of a victimized complainant at face value, that is what it boils down to -- no more or less a right than is granted to other victims under the law.[20]

The requirement of force, thus, does not reflect the reality of many rapes. In terms of victim resistance, moreover, the requirement of force is at odds with advice against resistance frequently given by police. In a study of 50 convicted rapists at Atascadero in California, one researcher found:

> [S]truggling, screaming and otherwise refusing to cooperate seems likely to increase the chances that the rapists in the group interviewed would harm their victims.[21]

The Criminal Code Revision Commission has approved a revised definition of rape necessitating only that the sexual contact be "without consent" of the victim. "Without consent" is defined in the proposal to mean that a person,

> (1) with or without resisting, is coerced by the use of force against a person or property, or by the express or implied threat of imminent death, imminent serious physical injury, imminent physical injury, or imminent kidnapping to be inflicted on anyone; or (2) is incapacitated as a result of any act committed by the actor.[22]

This definition would take into account the realities of victim resistance and would recognize that coercion is often implicit in the circumstances of a rape. It is recommended that this revision in the requirement of force be adopted.

2. Spousal Immunity

Many state statutes specifically exclude non-consensual intercourse between husband and wife from the definition of rape. The common law (derived from decisions in specific cases and in effect in Alaska) is in accord with such statutes.

One writer traces the concept of spousal immunity back to Biblical times:

> To our Biblical forefathers, any carnal knowledge outside the marriage contract was "unlawful". And any carnal knowledge within the marriage contract was, by definition, "lawful". Thus, the law evolved, the idea that a husband could be prosecuted for raping his wife was unthinkable, for the law was conceived to protect his interests, not those of his wife. Sir Matthew Hale explained to his peers in the seventeenth century, 'A husband cannot be guilty of rape upon his wife for by their mutual matrimonial consent and contract the wife hath given up herself in this kind to her husband, which she cannot retract'. In other words, marriage implies consent to sexual intercourse at all times, and a husband has a lawful right to copulate with his wife against her will and by force according to the terms of their contract.[23]

Totally cognizant of the enormous legal and societal hurdles her suggested reform would occasion, the author nonetheless advocates complete abolition of spousal immunity. She writes:

> Since the beginning of written history, criminal rape has been bound up with the common law of consent in marriage, and it is time, once and for all, to make a clean break. A sexual assault is an invasion of bodily integrity and a violation of freedom and self-determination whenever it happens to take place, in or out of the marriage bed.[24]

She notes that:

> Revolutionary as this principle may appear to the traditions of Anglo-American jurisprudence, it is accepted as a matter of

> course and human dignity in the criminal codes of Sweden and Denmark and in the codes of the U.S.S.R. and other countries in the Communist block . . . .[25]

Legal commentator Camille LeGrand suggests that several thousand years after Biblical times, the law still exists to protect men's rights rather than those of the female victims:

> The legal impossibility of rape of a wife by her husband is another indication that rape laws are not aimed at protecting women from sexual assault. If the laws were designed to protect women, this exception would make no sense. [I]f a woman suffers no less pain, humiliation, or fear from forcible sexual penetration by her husband than by a relative, a boyfriend, or a stranger, the difference is not great enough to warrant the total insulation of the former but not the latter from legal sanction.[26]

The National Commission on the Observance of International Women's Year also supports the absolution of spousal immunity. Noting the probable objection regarding the difficulty of proving non-consent by the "raped" spouse, the Commission states that the problems inherent in overcoming the presumption of innocence in the minds of the jury in such cases would probably result in convictions in only the most aggravated situations.[27]

The proposal of Alaska's Criminal Code Revision Commission would not go so far. Rather, the Commission suggests the following language limiting the marital exemption:

> (3) Spousal Immunity. A person does not commit sexual assault if the victim is his or her legal spouse, unless the spouses are living apart and one of them has filed for legal separation or divorce. This section shall not be construed to preclude accomplice liability of a spouse.[28]

This inclusion in the crime of rape, of separated spouses who have manifested an intention of discontinuing the marital relationship, appears eminently reasonable. The state of Michigan has recently enacted such a provision.[29] Proponents of the Michigan reform argued: "This would protect marital privacy when the marriage is still viable and ongoing, but also would protect a large and seriously victimized group of women presently ignored by the law, those in the process of obtaining a divorce."[30]

In the initial draft of this study, it was recommended that the Legislature follow Michigan's lead in regard to spousal immunity. Upon reflection, however, it appears that this piecemeal approach could prove more harmful than helpful. For it would implicitly lend the law's sanction to spousal rape at any time before separation or divorce papers are filed. Such legislation could, moreover, preclude the Alaska Supreme Court from altering the common law on its own initiative to include husband-wife rapes. At least technically,[31] men are not allowed to beat their wives with impunity; Alaska law should be amended to deny men the right to rape their wives as well.

3. Degrees of Rape and Corresponding Punishments

The current rape law recognizes the ages of the assailant and the victim, respectively, and the existence of incest, as grounds for differentiating between potential penalties which may be ordered. Section 11.15.130 provides:

> Sec. 11.15.130. Punishment for rape. (a) A person 19 years of age or older convicted of rape upon his daughter, son, sister or brother, or upon a person under 16 years of age, is punishable by imprisonment in the penitentiary for any term of years.
>
> (b) A person less than 19 years of age convicted for rape upon his daughter, son, sister or brother, or a person under 16 years of age, is punishable by imprisonment in the penitentiary for not more than 20 years.
>
> (c) A person convicted of rape upon any other person is punishable by imprisonment in the penitentiary for not more than 20 years nor less than one year.

Under this formulation, any adult who rapes an unrelated adult is potentially liable for a term of 20 years. Any adult who commits a statutory rape upon a person under 16 years of age -- no matter how sophisticated and willing a partner the "victim" might actually have been, is subject to a possible life sentence.

A number of states have recently adopted reforms categorizing the crime of rape into different degrees more accurately reflecting society's concerns with different kinds of sexual assault. Maximum penalties then vary corresponding to the seriousness attached to a given degree of rape. According to the International Women's Year Commission, "all authoritative proposals" for revision of rape laws since promulgation of the Model Penal Code in 1962 have included graduated degrees of sexual assault with a corresponding scale of penalties.[32]

The primary impetus behind such reforms seems to be the belief that such a degree structure will help secure convictions in cases where the victim is not seriously injured, "a situation previously ignored by many in law enforcement and prosecution."[33] In The American Jury, authors Kalven and Zeisil observed that "The jury convicts of rape in just 3 of 42 cases of simple rape." The jury's position is reputed to be "not so much that involuntary intercourse under these [non-aggravated] circumstances is no crime at all, but rather does not have the gravity of rape."[34] The degree structure also allows for assessing as criminal, sexual conduct other than genital penetration, by assigning lesser penalties to such crimes to encourage jury convictions.

The Criminal Code Revision Commission suggests four degrees of sexual assault, ranging from the least serious, fourth degree applicable to "sexual contact" with an under-age or incapacitated person; to third degree which pertains to "sexual penetration" with an under-age or incapacitated person; to second degree including sexual contact that occurs "without consent"; sexual contact with a victim under 13, and sexual contact with a related minor; to first degree, which parallels second degree except that sexual penetration is required rather than other forms of sexual contact. (Appendix I - A.)

It was not within the scope of this study to perform the kind of analysis undertaken by the Criminal Code Revision Commission in arriving at this particular sexual assault categorization. The Michigan law, which the Commission consulted, contained additional criteria in differentiating the degrees of sexual assault, including the use of weapons, the presence of aiders or abettors, and the infliction of personal injury in addition to the sexual act itself. According to Peter Ring of the Criminal Justice Center, the Criminal Code Revision Commission rejected those criteria, essentially on the grounds that the manner in which force was manifested should not be relevant in view of the Commission's proposal to eliminate any requirement of force from the definition of sexual assault.[35]

In light of Alaska's problems in obtaining rape convictions, and given the proposal of the Criminal Code Revision Commission, it is recommended that the Legislature consider the adoption of a degree structure for the crime of rape.

4. Evidence of Prior Sexual Conduct

An unwritten requirement for rape convictions in most jurisdictions is that the victim be of pure and chaste character. In describing the special feelings attached to sex crimes, the illustration is given that "a woman carrying a purse is ordinarily not considered to be 'asking for' a mugging, but a woman in a short dress is often accused of 'asking' to be raped."[36] It is said that "[N]o other crime . . . requires such blameless character and conduct on the part of the victim."[37]

In practice, the complaining witness in a rape trial is "put on trial" herself.[38] While the theory may be that the past sexual history relates to the witness' "tendency to consent" or to her credibility, Brownmiller believes the effect of probing sexual history has little relation to the underlying legal rationale. She states that:

> juries presented with evidence concerning a woman's past sexual history make use of such information to form a moral judgment on her character, and here all the old myths of rape are brought into play, for the feeling persists that a virtuous woman either cannot get raped or does not get into situations that leave her open to assault.[39]

To avoid this situation, Brownmiller suggests:

> Whatever the reasons, and there are many, prior consensual intercourse between a rape complainant and other partners of her choosing should not be scrutinized as an indicator of purity or impurity of mind or body, not in this day and age at any rate, and it has no place in jury room deliberation as to whether or not, in the specific instance in question, an act of [non-consensual] sex took place.[40]

In a national survey of prosecutors, it was found that they agree, at least, that evidence pertaining to the victim's sexual history has a substantial impact on jury deliberations. Seventy-four percent of prosecutors responding said the impact in a jury trial was "considerable"; 20 percent found "some" impact; six percent "slight" impact; nine percent said the impact was "none". In judge-tried cases, the estimated impact was considerably less.[41]

In addition to its effect on jury verdicts the potential use of "chastity" evidence innibits many victims from prosecuting their cases at all. The Douglas County (Kansas) Rape Victims' Support Service has stated:

> Our work has given us ample opportunity to find out how victims react after an assault. Consistently we have found reluctance to prosecute or even to report an assault because victims believe that the advantages of seeking help from the criminal justice sytem are outweighed by the disadvantages. Already having been subjected to the humiliation of the sexual assault it is then often too much for the victim to face the further humiliation of having her previous sexual conduct scrutinized by the court.[42]

In Alaska, one public defender has acknowledged that in handling rape cases she has been able to delve into totally irrelevant areas, including cross-examination of victims not only on prior sexual experiences *per se*, but in one specific case cited as an example, on the circumstances surrounding the victim's separation from her husband, her work as a nude model, her work in a massage parlour, and so forth. Some of these circumstances had come about subsequent to the rape itself, and, in the case of the separation, for example, had occurred at least in part as a consequence of the rape. The public defender in that case personally believed that a rape had taken place, but was able to achieve an acquittal for the defendant.[43]

Apparently in recognition of the irrelevant and prejudicial nature of most sexual history evidence, the Legislature amended the Alaska Statutes in 1975 to provide that such evidence must first be considered outside of the jury's presence, and can ultimately be admitted only if the judge determines that it is,

> relevant, and that the probative value of the evidence offered is not outweighed by the probability that its admission will create undue prejudice, confusion of the issues, or unwarranted invasion of the privacy of the complaining witness.[44]

Moreover, the Legislature included a presumption that "in the absence of a persuasive showing to the contrary, evidence of the complaining witness' sexual conduct occurring more than one year before the date of the offense charged" would be inadmissible.[45] (See entire Statute in Appendix I - B.) Other states, such as Michigan and Minnesota, Iowa and Nebraska, and California have adopted similar provisions with variations in the precise grounds for introducing sexual history evidence.

In correspondence and personal interviews with judges and prosecutors, all who commented on this matter stated that they considered the statute an appropriate and workable balance between the rights of the victim and the defendant, respectively.[46] But not all victims agree, and the National Organization for Women Task Force on Rape recommends still stricter safeguards. The Task Force would admit no evidence of the victim's prior sexual activities with anyone other than the defendant -- and that to be admitted only after its relevance has been determined in *in camera* proceedings.[47]

Given the fact that anyone -- including a prostitute -- has the right to refuse sexual intercourse when it is not desired, legislative reforms aimed at narrowing the scope of permissible inquiry to only those areas which might have a bearing on the specific incident of alleged rape seem desirable. At least a *presumption* of irrelevance concerning prior sexual activity with someone other than the defendant (analagous to the one-year presumption presently contained in the statute) would be appropriate. Similarly, given the assistant public defender's statement as to the kind of "moral" evidence she has been allowed to introduce, the basic coverage of AS 12.45.045 should be broadened to cover sex-related areas other than intercourse.

A court-watching program, including permission whenever possible for the observer to attend the *in camera* proceedings, would be necessary to determine the extent to which improper evidence is in fact admitted under the present law. The problem may lie more with erroneous application of the law by the judiciary, than with the law itself. (Since the primary purpose of *in camera* hearings is to keep potentially prejudicial information away from the jury, attendance by an observer should be feasible in most instances.) Pending the outcome of such a study, there would seem no reason to delay the implementation of the suggested legislative reforms. Should improper evidence continue to be introduced following enactment of such legislation, the responsibility could then be unequivocably localized in judicial chambers.

The other side of this controversy is the defendant's sexual history. The applicable civil and criminal rules are unclear regarding the right to introduce a defendant's prior conviction of rape or prior sexual conduct in evidence.[48] One Alaskan case on the subject, Freeman v. State,[49] provides that since,

> "Evidence of other offenses committed by the accused will always be potentially prejudicial; . . . before such evidence is admitted, care must be taken to ascertain whether it is actually necessary in the circumstances of the particular case."[50]

The Court held that when the accused's intent is in issue, when the acts charged are equivocal, or when there is a close proximity between the facts of a prior offense and the facts of the offense charged, evidence of a prior conviction might be admissible.[51] In the later case of Torres v. State,[52] however, a mistrial was granted because in the district attorney's opening statement, he referred to previous misconduct by the defendant with the victim and her sisters. And, in Gordon v. State,[53] also subsequent to Freeman, the Court upheld the trial judge's ruling admitting a prior grand theft conviction, where the trial court had said that if the prior had been for "deviant behavior or something of that nature", he would not have let it in.[54] Contrary to the approach towards the victim, in the defendant's case, the more sex-related the evidence, the more ready the exclusion appears to be.

Iowa and Texas allow evidence of prior felony convictions to impeach credibility. And in Nebraska and Texas, both the defendant's and the victim's past sexual conduct may be admitted if the judge determines that it is relevant. The NOW Task Force would admit evidence of the accused's history of sexual offenses and testimony of previous victims of the accused.[55]

As long as it is permissible to allow judicial discretion in entertaining evidence of the victim's prior sexual contact with someone other than the defendant, then it would seem that similar discretion should be afforded the judge in regard to the defendant's sexual activities with persons other than the victim. Relevance would have to be the underlying, strictly applied test. A case where introduction of such evidence was sought and denied, perhaps improperly under Freeman v. State, supra, was one in which the victim claimed to have been raped standing up. She was subjected to vigorous cross-examination as to the plausibility of this kind of rape. Yet, the police did in fact have several other verified reports, from other victims allegedly raped by the defendant in precisely the same manner. Given the line of cross-examination opened up by the defense, perhaps the evidence of the police reports should have been introduced.

In sum, it is recommended that the Legislature take action to broaden the kind of sexual conduct protected by the evidentiary statute; to proscribe or, at least, enact a presumption against admissibility of a victim's prior sexual conduct with someone other than the defendant; and to make the defendant's prior sexual history statutorily admissible, pursuant to judicial discretion, commensurate to the extent to which the victim's history may be introduced.

5. Miscellaneous Legal Provisions and Possible Reforms

In comparison with the rape legislation of many jurisdictions, Alaska's law has some very positive points. The law has been "de-sexed", to allow for male on male rapes, female on male rapes, etc. There is no corroboration requirement and no automatic inclusion of prior sexual history. The law has recently been amended to include anal and oral sex as part of the crime's definition. And, finally, the State has no mandatory high sentences which tend to inhibit jury convictions.

Of course, the serious concerns raised in the preceding sections of this chapter do merit prompt attention. And there are other matters, not explored by this study, but continually surfacing in the reading materials and discussions on rape, that deserve the Legislature's consideration. These include the removal of the "rape" label (and stigma) from the crime, which might preferably be denoted as a form of assault or sexual offense; the elimination of the redundant statute prohibiting sodomy; the repeal of the penetration requirement at least for some forms of sexual assault; and the addition of sexual contact as one degree of the offense. These are issues that should be studied and acted upon if a conscientious and thorough overhaul of the current rape statute is to take place.

C. Police Practices

1. Special Rape Investigation Units

In a 1975 survey of 208 police departments of varying sizes throughout the country, two-thirds of the respondents indicated that their departments had special rape investigation units. The degree of "specialization" varied, however, with only 26 percent of these units established exclusively for sex offense investigations.[56]

To some extent, Alaska has joined other states in recognizing the desirability of special investigatory units for sex offenses. Senate Concurrent Resolution No. 19, passed by the Ninth Legislature, requested the Alaska Police Standards Council to,

> "develop or plan for the training of specialists to investigate charges of rape and other sexual assaults and to encourage local law enforcement agencies to develop special investigative units for cases involving sexual assaults."

In response to a question regarding implementation of this resolution, Captain Brian S. Porter, Chairman of the Alaska Police Standards Council, stated that the Council had not promulgated regulations on this subject as it was not within the Council's statutory authority.[57]

In practice, in the Anchorage area, there is only informal specialization at best. For the last two and one-half years, the Alaska State Troopers designated one officer as Statewide Coordinator for Sex Offenses. This Trooper, Sam Barnard, personally investigated virtually all the Anchorage rape cases not handled by the Anchorage police, and monitored each of the other cases throughout the State. But Investigator Barnard has been promoted and states that his old position is not being filled. There are 12 criminal investigators employed by the Troopers statewide, and Barnard estimates that most of them have not worked more than one rape case.[58]

At the Anchorage Municipal Police Department there is similarly no one officer assigned to handle rape cases, although an attempt is made to have the majority of the investigations performed by the same officer.[59] Barnard favors at least a two-person rape investigation unit to insure that one officer with expertise is always available. Although the above-cited policy study did not find a specific correlation between degree of specialization and victim dropout or suspect arrest rates,[60] Officer Barnard believes that the more exposure to the rape problem, to rape victims and to rapists' operating styles, the better rape investigation job a police officer is apt to do.[61]

Financial and personnel limitations presumably pose obstacles to establishment of ideal rape investigation units throughout the State. Reorganization of many Alaska police departments to insure some degree of specialization, may nonetheless be possible. The Legislature should consider directing public safety units to undertake such reorganization.

2. Female Investigators

In the above-cited survey of law enforcement agencies, 87 percent of the respondents reported that their departments employed at least one woman investigator. In those agencies with the highest percentage of female investigators, it was found that victims were less likely to drop out during the investigation.[62]

Brownmiller reports on another possible effect of utilizing women investigators in rape cases. She cites a "dramatic drop" in the rate of "unfounding" rape reports by the New York City Police after they adopted a program of assigning policewomen to rape cases. Brownmiller attributes this change to the fact that women believe the word of other women while men do not.[63]

In Alaska, Senate Concurrent Resolution No. 15 adopted by the Ninth Legislature encouraged all State and local law enforcement agencies to "undertake an affirmative recruitment and assignment program designed to place policewomen in positions that will enable them to respond to cases of reported rape." The Troopers do not have a female investigator, so clearly are not meeting the intent of the resolution. The Anchorage Police Department does have a female officer who used to handle rape cases, but who is presently assigned to checks and frauds. She states that she is available to assist in rape cases upon request of the victim for a female officer.[64]

Trooper Barnard reports that he has frequently asked victims whether they would prefer being interviewed by a female police officer and has found that women do not generally perceive this need. Yet he also observes that concern for the victim's emotions is not "paramount" with many Troopers, that they often put a strenuous burden of proof upon a woman who comes to report a rape before accepting that the incident merits further investigation.[65] Interestingly, although Barnard himself claims that he finds no more than one percent of the rapes reported to him to be false, the police officer currently handling most of the Anchorage Police Department's rapes, also a man, says he disbelieves about 20 percent of the reports he receives.[66]

The fact that the statewide rate of "unfounding" rape cases is 15 percent, while Trooper Barnard -- probably the most expert rape investigator in the State -- only discredits one percent, suggests that the individuals currently investigating rape cases throughout the State may have an unrealistically high propensity to disbelieve rape victims. Other factors, such as the more rural character of the Troopers' jurisdiction vis-a-vis the urban environs patrolled by city police, may also account for some of the difference in unfounding rates. Whether placing more women in rape investigatory positions would raise enforcement rates is simply unknown. Police departments should make every effort to experiment with this practice and should subsequently analyze the results.

3. Police Procedures: the Polygraph

According to Trooper Barnard, the methods employed by police in tracking down suspects and collecting evidence are as sophisticated and up-to-date in Alaska as in the lower 48. But the polygraph is one technique used here which is somewhat controversial. Barnard states that he administers a polygraph test to almost every victim who reports a rape -- and virtually 100 percent pass. His reason for doing so is not because he doubts the victim's word. Rather, he believes the evidence is necessary to convince the district attorney's office to prosecute.[67] Officer Clemens, at the Anchorage Police Department, on the other hand, indicates that he seeks to administer the test when he personally doubts the victim's veracity. And he says in most cases the victim withdraws her complaint at that point and refuses to be examined.[68]

Like the courtroom inquiry into the victim's sexual history, the polygraph is a way in which rape victims are themselves "put on trial". Barnard recognizes that all victims feel badly about not being believed (the natural and in some cases correct interpretation they give to being asked to take a polygraph). It seems a sad commentary on police-prosecutor relations, or perhaps on the prosecution response to rape, that a man as compassionate as Barnard feels compelled to ask the victims who come to him to take the test. In Alaska, polygraph results cannot even be admitted into evidence. The extent of, and reasons for, use of victim polygraphs in rape cases throughout the State should be explored to learn if this additional deterrent to victim participation in the justice system is in fact warranted, or if alternative methods of bringing pressure to bear on prosecutors might be more appropriate.

4. Police Attitudes

The need for victim resistance. In conversations with the previously cited officers at the Anchorage Police Department, the concept of victim resistance was repeatedly introduced.[69] As discussed in the legal provisions section, technically there is no victim resistance criterion in the rape law. Yet it appeared that in the minds of at least these two officers (possibly because of attitudes in other parts of the system), resistance was an element of the crime of rape. This erroneous viewpoint should be eradicated at all levels of the system.

Inclusion of oral and anal sex offenses. Along the same line, one of the police officers questioned stated that he favored introduction of different degrees of the crime of rape to allow for variations such as oral sex. He was completely unaware that the Legislature had in fact amended the rape law during the last session to include oral and anal intercourse.[70] Police officers -- especially those who claim to handle a majority of the sex offense cases in their jurisdiction -- should be kept abreast of developments in the law.

Criticism of the district attorneys. Trooper Barnard's reasons for using the polygraph have already been noted. He critizes prosecutors further as being overly concerned with making a statistically good showing on convictions. In Barnard's view, a borderline case should be pursued in the hopes that the prosecution may prevail, or that, at the very least, the defendant may be deterred from committing further sex offenses after experiencing the ordeal of arrest and trial.[71] A study might be designed, under Legislative mandate if necessary, whereby prosecutors in specified jurisdictions would agree, for a limited period of time, to bring cases recommended by the police which the prosecutors would not ordinarily have filed. The results could be evaluated to determine what benefits, if any, could be attributed to filing these "extra" cases.

D. The Prosecutors

The prosecutors, according to the past president of the Rape and Assault Center, and to rape victims interviewed in depth, are the weakest link in the rape law enforcement chain.[72] While some cases are lost which "should" have been won, the problem is not particularly one of competence. Once a case is accepted for prosecution, the conviction rate in most

Alaskan jurisdictions is fairly high. In Anchorage, for example, nine out of 11 cases handled in Fiscal 1975 resulted in convictions.[73] Only in Bethel was the conviction rate for 1975 particularly low, with one conviction for six prosecutions.[74]

The criticism, rather, focuses on prosecutors' attitudes and conduct towards the victims. One woman reports that the district attorney was completely unfamiliar with her case when she went for her initial interview; he told her that the rape could not have happened the way she reported it (yet this is the case in which the police had prior reports showing rapes committed by the same individual in the identical manner); he failed to inform her that the defense might send a private investigator to talk to her (they did), or to tell her the rights she would have in such a situation; and, from her perspective, he was generally totally unsupportive. Another victim, who endured the agony of a trial only to have it end in a hung jury, reported a similar lack of communication and empathy from a different prosecutor. This victim came to the author of this study seeking legal advice which should have been furnished her by the district attorney. Busy trial schedules do not excuse the callousness apparently experienced by these women.

Three measures should be considered to meet this problem. First, perhaps even more important than in regard to the police, district attorney offices should have rape specialists who have received special training and can accummulate experience in the handling of rape cases. Eight district attorneys in Alaska were surveyed; six responded.[75] Of those, the only ones who "specialized" were individuals in one-person offices: Bethel, Kodiak, Palmer/Glennallen. Where more attorneys were available -- in Anchorage, Juneau and Fairbanks -- rape cases were not assigned to any particular person. District attorneys who show compassion for rape victims should be selected to prosecute these cases and should be given training to assist them in relating to the women involved. (Some offices reported receiving such training in the past.)

Second, the use of female prosecutors should be considered if competent and interested women district attorneys are available. On a national basis, female attorneys are being called upon with greater frequency to handle rape cases; no evaluation of the success of this approach has yet been made.[76] Only the Fairbanks office reported having a female district attorney responsible for some rape cases; in Anchorage, District Attorney Balfe indicated that he would consider assigning two recently hired women attorneys to rape cases after they acquired greater experience. Such an approach should be pursued to determine if rape victims feel more comfortable with female prosecutors, and if such prosecutors are better able to empathize with these victims.

Finally, it may be that for rape, as well as for other cases such as husband-wife assaults (discussed in Chapter III), the larger district attorneys' offices should have a support personnel or counselor's position, so that someone is available to assist victims in making decisions regarding prosecution and to provide them with the information and guidance necessary to keep them in the system. The Public Defender's Agency in Anchorage has an analagous "psychological counselor" position.

Both Trooper Barnard and Investigator Val of the Anchorage Police stressed the need for this service on a paid, professional basis.[77] Counseling programs were reported available in 65 percent of the jurisdictions sampled in the police response survey, with most operations staffed jointly by professionals and specially trained paraprofessionals. Agencies providing the services varied from mental health clinics, to grant-funded community self-help projects, women's groups, welfare agencies, mayors' task forces, hospitals, and prosecutors' offices.[78]

In Alaska, the job might be part-time; it might be funded with grant money; it might be established in cooperation with a group such as the Alaska Women's Resource Center. Regardless of how such a project might arise, the public has a substantial stake in seeing that victims participate in the system and offer their full cooperation. Any cost to the State would be minimal in relation to the benefit received.

E. The Rapist: Punishment and Rehabilitation

Statistics suggest that the rapist is not a one-time offender. In a nation-wide prosecutors' survey, it was reported that "A very high percentage of the cases presented to prosecutors involved suspects with extensive arrest records."[79] A study of 50 convicted rapists at Atascadero in California, a facility for "mentally disordered sex offenders" (who may or may not represent the "average" rapist), resulted in the conclusion that rapists are "a violent group" with records of repetitive sexual and non-sexual offenses.[80] A national columnist appearing in the Anchorage Times states that "77 percent of rapes . . . [are committed by chronic offenders]."[81] And in Alaska, Trooper Barnard estimates that as many as 80 percent of the persons committing rapes are known police suspects in prior rape cases.[82] As these figures suggest, and as columnist Ray Cromley states: "We have not learned to 'cure' recidivists; nor have we resolved to lock them up for any meaningful period, and thus, at least temporarily deprive them of the opportunities to [rape] . . . ."[83]

1. Rehabilitation

Rehabilitation for rapists in Alaska does not seem to work. That is the conclusion of Officers Barnard and Val, at any rate, though both concede that "not working" may also mean simply that rehabilitation isn't seriously tried.[84] State vs. McCallion[85] is a case in point. Defendant McCallion moved in and out of penal institutions in several states, including Alaska, for over 20 years, primarily on rape convictions. Judges frequently ordered psychiatric treatment which he was willing, even eager to receive. In 1974, in Alaska, he was sentenced to a 10-year term; psychiatric treatment was again ordered. The Division of Corrections had not afforded him so much as one hour of treatment when he committed yet another rape on the grounds of the Palmer Honor Camp. On trial for this most recent offense, he pleaded through counsel for psychiatric treatment. The judge noted that orders for psychiatric treatment are "routinely made and routinely ignored", that efforts to obtain such treatment for defendants "die of fatigue".[86]

In light of instances such as this, where all parties involved -- judge, prosecutor, defense attorney and defendant -- are in accord that psychiatric care is warranted and may assist both the defendant and society, it would seem that measures to improve the coordination between the court system and the division of corrections are imperative. In this case, the judge has indicated he may order a new trial or substantially reduce the sentence handed down in the case if McCallion does not in fact obtain the ordered treatment.[87] It is unfortunate that such threats are necessary merely to insure that a judge's orders be followed.

A systematic accounting of those rehabilitation services actually available in Alaska, and a realistic assessment of the rehabilitation needs for repeated sex offenders such as McCallion, would seem a high priority responsibility of the State. At least, as Cromley suggests, the State should make an effort to learn, from research on its own or otherwise, which of its offenders are amenable to existing rehabilitation methods.[88] The legality/morality/desirability of concentrating limited resources on those persons most likely to benefit from them should be explored. And innovative programs, such as that in effect at Western State Hospital in Washington should be investigated; at Western State, therapy is emphasized and a buddy system to squelch escapes and promote positive personal relations has proven successful.[89]

2. Sentences

Given what he considers the failure of rehabilitation in Alaska, Trooper Barnard contends that the repeat offender "should spend the largest part of his active sexual life in jail."[90] Cromley writes on the convicted rapist:

> Some can be changed, I'm certain. Some cannot with present rehabilitative techniques. Cruel as it may sound, once they've proved their inability to give up crime, I believe this latter group must be semi-permanently confined as a protection to society until that day when we learn what it is that makes them tick, and what we can do about it. Just as we semi-isolate a person with a serious contagious disease who has committed no crime. Or a person with a dangerous form of insanity.
>
> Meanwhile, research should be intensified on the causes of and cure for the depredation of what today seem to be incorrigible repeaters.[91]

The prospect of mandatory, lengthy sentences for repeat offenders again raises the spectre of adverse jury reactions. Defendants' rights, of course, are also in issue. But the subject of prolonged confinement for the repeated rapist deserves serious attention by legislators and members of the judiciary alike. Statutory guidelines should ultimately be set to insure that a convict's term is not dependent solely on the inclinations of different superior court judges.

3. Bail

In the case of State vs. J. Byron Mallott, the defendant was accused of raping a three year old girl. When Mallott was released on $2,500 bail, the public outcry was enormous.[92] Mallott was recently convicted. Under State statute, the prosecuting attorney may make a showing that release of the arrested person will "pose a danger to other persons and the community".[93] Mallott's prosecutor attempted no such showing. On the basis of Mallott's prior history, evidence from a psychiatric evaluation, and perceived judicial proclivity to release defendants pending trial, the prosecutor agreed to the bail reduction sought by defense counsel.[94] Again, court-watching seems in order; again, further legislative or judicial guidelines, particularly relating to repeat offenders, may be advisable.

RECOMMENDATIONS

THE LEGISLATURE SHOULD REVISE THE RAPE STATUTES TO

1. ELIMINATE ALL EXPLICIT AND IMPLICIT REQUIREMENTS FOR USE OF PHYSICAL FORCE BY THE DEFENDANT AND ACTUAL RESISTANCE BY THE VICTIM;
2. ELIMINATE SPOUSAL IMMUNITY IN RAPE CASES; AND
3. LIMIT EVIDENCE OF THE VICTIM'S PRIOR SEXUAL CONDUCT TO ACTIVITIES WITH THE DEFENDANT AND BROADEN THE EVIDENTIARY EXCLUSION TO COVER OTHER ASPECTS OF THE VICTIM'S PRIVATE LIFE.

THE LEGISLATURE SHOULD CONSIDER

1. ADOPTING A DEGREE STRUCTURE FOR RAPE WITH VARYING PENALITIES FOR DIFFERENT DEGREES OF THE CRIME;
2. FUNDING A COURT-WATCHING PROGRAM TO INVESTIGATE EVIDENTIARY PRACTICES, USE OF INSTRUCTIONS, PROSECUTION PERFORMANCE, AND VICTIM TREATMENT;
3. PROVIDING SENTENCING GUIDELINES FOR CONVICTED RAPISTS; AND
4. STUDYING ALTERNATIVES FOR REHABILITATION OF RAPISTS.

THE LEGISLATURE SHOULD PROVIDE ADEQUATE FUNDING TO INSURE COMPLIANCE WITH COURT ORDERS FOR PSYCHIATRIC TREATMENT FOR CONVICTED RAPISTS.

POLICE DEPARTMENTS SHOULD:

1. PROVIDE SPECIALIZED INVESTIGATORS FOR RAPE CASES, INCLUDING FEMALE OFFICERS;
2. EVALUATE THEIR USE OF LIE DETECTOR TESTS FOR RAPE VICTIMS AND, IF NECESSARY, PROMULGATE GUIDELINES FOR THE TAKING OF SUCH TESTS; AND
3. INSURE THAT OFFICERS HANDLING RAPE CASES ARE APPRISED OF ALL NEW DEVELOPMENTS IN RAPE LAW.

PROSECUTORS SHOULD:

1. ASSIGN RAPE CASES TO ATTORNEYS SPECIALIZING IN THEIR PROSECUTION;
2. DEVELOP AND PRACTICE SENSITIVITY TOWARDS VICTIMS AND COMMUNICATE OPENLY WITH THEM; AND
3. PROVIDE OR DEVELOP LIASONS WITH VICTIM COUNSELING SERVICES TO MEET VICTIM NEEDS AND ENCOURAGE VICTIM COOPERATION WITH THE SYSTEM.

THE DIVISION OF CORRECTIONS SHOULD COMPLY WITH COURT ORDERS FOR PSYCHIATRIC TREATMENT OF CONVICTED RAPISTS.

APPENDIX I - A

Article 13 - Sexual Offenses, Final Draft, Criminal Code Revision Commission, Presented at Meeting of September 23-24, 1976.

Section 133 -- Sexual Assault in the Fourth Degree

(a) A person commits the crime of Sexual Assault in the Fourth Degree if:

1. Being 19 years of age or older he knowingly engages in sexual contact with a person under 16 years; or

2. Being any age he knowingly engages in sexual contact with another person who is incapable of consent by reason of incapacitation.

(b) Sexual Assault in the Fourth Degree is a Class ________ ________________.

Section 134 -- Sexual Assault in the Third Degree

(a) A person commits the crime of Sexual Assault in the Third Degree if:

1. Being 18 years of age or older he knowingly engages in sexual penetration with a person under 16 years of age; or

2. Being any age he knowingly engages in sexual penetration with another person who is incapable of consent by reason of incapacitation.

(b) Sexual Assault in the Third Degree is a Class ________ ________________.

Section 135 -- Sexual Assault in the Second Degree

(a) A person commits the crime of Sexual Assault in the Second Degree if:

1. Being any age he knowingly engages in sexual contact with a person without consent of that person; or

2. Being any age he knowingly engages in sexual contact with another person under 13 years of age; or

3. Being 18 years of age or older he knowingly engages in sexual contact with a person under 18 years of age who is related to him, either legitimately or illegitimately, as:

(A) his ancestor or descendant of the whole or half blood, or by adoption; or

(B) his brother or sister of the whole or half blood; or

(C) his uncle, aunt, nephew or niece of the whole or half blood, or by adoption; or

(D) his stepchild, while the marriage creating that relationship still exists.

(b) Sexual Assault in the Second Degree is a Class ________ ________________.

Section 136 -- Sexual Assault in the First Degree

(a) A person commits the crime of Sexual Assault in the First Degree if:

1. Being any age he knowingly engages in sexual penetration with a person without consent of that person; or

2. Being any age he knowingly engages in sexual penetration with another person under 13 years of age; or

3. Being 18 years of age or older he knowingly engages in sexual penetration with a person under 18 years of age who is related to him, either ligitimately or illegitimately as:

(A) his ancestor or descendant of the whole or half blood or by adoption; or

(B) his brother or sister of the whole or half blood; or

(C) his uncle, aunt, nephew or niece of the whole or half blood, or by adoption; or

(D) his stepchild, while the marriage creating the relationship still exists.

(b) Sexual Assault in the First Degree is a Class ________ ____________________.

APPENDIX I - B

AS 12.45.045

Sec. 12.45.045. Evidence of past sexual conduct in trials of rape and assault with intent to commit rape. (a) In prosecutions for the crime of rape and assault with intent to commit rape, evidence of the complaining witness' previous sexual conduct shall not be admitted nor reference made to it in the presence of the jury except as provided in this section. When the defendant seeks to admit the evidence for any purpose, he may apply for an order of the court at any time before or during the trial or preliminary hearing. After the application is made, the court shall conduct a hearing in camera to determine the admissibility of the evidence. If the court finds that evidence offered by the defendant regarding the sexual conduct of the complaining witness is relevant, and that the probative value of the evidence offered is not outweighed by the probability that its admission will create undue prejudice, confusion of the issues, or unwarranted invasion of the privacy of the complaining witness, the court shall make an order stating what evidence may be introduced and the nature of the questions which shall be permitted. The defendant may then offer evidence under the order of the court.

(b) In the absence of a persuasive showing to the contrary, evidence of the complaining witness' sexual conduct occurring more than one year before the date of the offense charged is presumed to be inadmissible under this section.

(c) In this section "complaining witness" means the alleged victim of the crime charged, the prosecution of which is subject to this section. (§ 1 ch 165 SLA 1975)

FOOTNOTES - RAPE

1. Morton Bard & Katherine Ellison, Crisis Intervention and Investigation of Forcible Rape, THE POLICE CHIEF, May, 1974, quoted in Rape and Its Victims, A Report for Citizens, Health Facilities, and Criminal Justice Agencies, Law Enforcement Assistance Administration, November, 1975, p. 1.

2. Rape and Its Victims, A Report for Citizens, Health Facilities, and Criminal Justice Agencies, Law Enforcement Assistance Administration, November, 1975, p. 1.

3. Duncan Chappell,"Forcible Rape and the Criminal Justice System", Crime and Delinquency, April 1976, p. 127, note 7.

4. Id. at 127.

5. Criminal Justice Plan 1976, Criminal Justice Planning Agency, p. 39.

6. Id., also Draft 1977 Annual Criminal Justice Plan, Criminal Justice Planning Agency, p. 21.

7. 2 Criminal Justice Plan 1976, supra note 5.

8. Id.

9. Interview with Alaska State Trooper Sam Barnard, October 10, 1976; other estimates suggest that only 20 percent of rapes are reported. See Camille E. LeGrand, Rape and Rape Laws: Sexism in Society and Law, 61 Calif.L.R. 919, 921 (1973).

10. Susan Brownmiller, Against Out Will: Men, Women and Rape (Simon and Schuster 1975).

11. Draft 1977 Annual Criminal Justice Plan, Criminal Justice Planning Agency, pp. 21 and 48-50.

12. Interview with Sam Barnard, October 25, 1976.

13. Draft 1977 Annual Criminal Justice Plan, supra note 11, at 48-50.

14. Brownmiller, supra note 10.

15. Id.

16. Camille E. LeGrand, Rape and Rape Laws: Sexism in Society and Law, 61 Calif.L.R. 919, 923, note 42 (1973).

17. See, Draft of Sexual Offenses Chapter prepared for Criminal Code Revision Commission, August 1976, pp. 11-14.

18. Interview with Sam Barnard, supra note 12.

19. Brownmiller, supra note 10, at 385.

20. Id.

21. Duncan Chappell, Victim Selection and Apprehension from the Rapist's Perspective: A Preliminary Investigation; Paper presented at the Second International Symposium on Victimology; Boston, Mass.; September 8, 1976, p. 23.

22. Final Draft of Article 13 - Sexual Offenses, presented at Commission meeting of 9/23-24/76, p. 1.

23. Brownmiller, supra note 10, at 380.

24. Id. at 381.

25. Id. at 382.

26. LeGrand, supra note 16, at 925-26.

27. To Form a More Perfect Union, Report of the National Commission on the Observance of International Women's Year 1976, 263.

28. Final Draft of Article 13 - Sexual Offenses, supra note 22, at 3.

29. Rape and Its Victims, supra note 2, at 271.

30. Excerpt contained in a compilation of materials on Sexual Offenses presented to the Criminal Code Revision Commission on Aug. 12-13, 1976, p. 8.

31. See Chapter III - Battered Wives, for discussion of law enforcement practices vis-a-vis women who are assaulted by their husbands.

32. To Form a More Perfect Union, supra note 27, at 262-63.

33. Rape and Its Victims, supra note 2, at 272.

34. H. Kalven and H. Zeisel, The American Jury, 253 (1966) at 250.

35. Telephone conversation with Peter Ring, October 22, 1976.

36. Bard and Ellison, supra note 1, at 168 of Rape and Its Victims.

37. Id.

38. Interview with Sam Barnard, supra note 12.

39. Brownmiller, supra note 10, at 385-386.

40. Id. at 386.

41. Forcible Rape: A National Survey of the Response by Prosecutors, Battelle Law and Justice Study Center, November 1975, p. 79.

42. Testimony of the Doublas County Rape Victims' Support Service before the Kansas House Judiciary Committee, Jan. 22, 1976; 2104 West 15th St., Lawrence, Kan. 66044 quoted in To Form a More Perfect Union, supra note 27, at 264.

43. Interview with Assistant Public Defender in Anchorage, September 1, 1976.

44. AS 12.45.045.

45. Id.

46. E.g., letters to Katz from Judge C. J. Occhipinti, September 21, 1976; Judge Thomas E. Schultz, September 21, 1976; Justice Roger G. Connor, September 3, 1976.

47. Rape and Its Victims, supra note 2, at 273.

48. Rule 26 of the Criminal Rules of Procedure provides, in subsection (a) that:

> "The admissibility of evidence shall be governed by Civil Rule 43 and by these rules, or in the absence of rule, by the principles of common law as they may be interpreted by the courts of the state in the light of reason and experience."

Rule 26(f) entitled "Impeachment by Evidence of Conviction of Crime", provides in subparagraph (1) that as a general rule,

> For the purpose of attacking the credibility of a witness evidence that he has been convicted of a crime is admissible but only if the crime involved dishonesty or false statement.

A prior conviction for rape would probably not meet this requirement. Subparagraph (4), simply entitled "Admissibility" states that:

> Before a witness may be impeached by evidence of a prior conviction, the court shall be advised of the existence of the conviction and shall rule if the witness may be impeached by proof of the conviction by weighing its probative value against its prejudicial effect.

Neither of these specifically criminal provisions applies unless the defendant has himself been a witness and it is his credibility which is to be attacked.

Rule 43(g)(11)(b) similarly refers to "Impeachment by Adverse Party" and provides that:

> A witness may be impeached by the party against whom he was called by contradictory evidence, or by evidence that his general reputation for truth is bad, or that his moral character is such as to render him unworthy of belief. He may not be impeached by evidence of particular wrongful acts, except that it may be shown by the examination of the witness or the record of a judgment that he has been convicted of a crime.

This section would seem to rule out evidence of prior sexual conduct, unless it had in fact resulted in a criminal conviction (in which case Rule 26(f)(4) would come into play).

None of these provisions addresses the question of introducing evidence pertaining to the defendant's past history if he has not yet taken (or never does take) the stand. Yet such evidence may be necessary to rebut evidence brought out on cross-examination of the prosecution's witnesses.

49. 486 P.2d 967 (Ak. 1971).

50. Id. at 977.

51. Id. at 977-978.

52. 519 P.2d 788 (Ak. 1974).

53. 501 P.2d 772 (Ak. 1972).

54. Id. at 773.

55. Rape and Its Victims, supra note 2, at 273.

56. Forcible Rape: A National Survey of the Response by Police, Battelle Law and Justice Study Center, November 1975, 104-109.

57. Letter to Katz from Capt. Brian S. Porter, Chairman, Alaska Police Standards Council, September 2, 1976.

58. Interview with Sam Barnard, supra note 12.

59. Telephone Conversation with Bob Clemens, A.P.D., October 26, 1976.

60. Forcible Rape: A National Survey of the Response by Police, supra note 56, at 108-109.

61. Interview with Sam Barnard, supra note 12.

62. Forcible Rape: A National Survey of the Response by Police, supra note 56, at 106-108.

63. Brownmiller, supra note 10, at 387.

64. Telephone conversation with Investigator Jan Val, A.P.D., October 26, 1976.

65. Interview with Sam Barnard, supra note 12.

66. Telephone conversation with Bob Clemens, supra note 59.

67. Interview with Trooper Sam Barnard, supra note 12.

68. Telephone conversation with Bob Clemens, supra note 59.

69. Telephone conversations with Officers Clemens and Val, supra notes 59 and 64, respectively.

70. Telephone conversation with Officer Clemens, supra note 59.

71. Interview with Sam Barnard, supra note 12.

72. Interview with Cherryl Messer, August 11, 1976, and confidential interviews with rape victims.

73. Interview with Joseph Balfe, October 15, 1976.

74. Survey response by Assistant District Attorney, Bethel, Alaska, October, 1976.

75. A personal interview was conducted with the Anchorage District Attorney; surveys were mailed to district attorneys in Fairbanks, Juneau, Valdez, Palmer/Glennallen, Kodiak, Kenai and Bethel. No response was received for Kenai or Valdez.

76. Chappell, supra note 3, at 136.

77. Lautaret interviews with Officers Val and Barnard, September, 1976.

78. Forcible Rape: A National Survey of the Response by Police, supra note 56, at 98-99.

79. Forcible Rape: A National Survey of the Response by Prosecutors, Battelle Law and Justice Study Center, November 1975, p. 47.

80. Chappell, Victim Selection and Apprehension from the Rapist's Perspective, supra note 21, at 7.

81. Ray Cromley "Minimizing the Crime Rate," the Anchorage Times, September 29, 1976.

82. Interview with Sam Barnard, supra note 12.

83. Cromley, supra note 82.

84. Interviews with Sam Barnard and Jan Val, supra notes 12 and 77 respectively.

85. Superior Court Case No. 76-1700CR, Third Judicial District.

86. In-chambers conference between Judge Lewis and prosecution and defense attorneys, with the author present as an observer, September 9, 1976.

87. Telephone conversation with McCallion's attorney, William Choquette; October, 1976.

88. Cromley, _supra_ note 82.

89. Mary Marzano, "Hospital Ward Treats Sex Offenders," _The Anchorage Times_, November 24, 1976.

90. Interview with Sam Barnard, _supra_ note 12.

91. Cromley, _supra_ note 81.

92. _See_, "Courtroom Strategems Draw Fines," _The Anchorage Times_, September 17, 1976.

93. AS 12.30.020.

94. Telephone conversation with Assistant District Attorney Charles Merriner.

WOMEN OFFENDERS

FACTS

FEMALES COMMITTED 18 PERCENT OF ALL THE OFFENSES FOR WHICH ARRESTS WERE MADE IN ALASKA IN 1975.

FACILITIES AND PROGRAMS FOR FEMALE OFFENDERS IN ALASKA ARE COMMONLY DEFICIENT IN COMPARISON TO THOSE PROVIDED FOR MALE OFFENDERS.

FEMALE JUVENILES ARE CHARGED WITH STATUS OFFENSES (BEHAVIOR, SUCH AS RUNNING AWAY, THAT WOULD NOT CONSTITUTE A CRIME IF COMMITTED BY AN ADULT) TWICE AS FREQUENTLY AS MALE JUVENILES.

ISSUES

CAN THE STATE BE COMPELLED TO APPROPRIATE FUNDS TO BRING FACILITIES AND PROGRAMS FOR WOMEN OFFENDERS UP TO THE LEVEL OF THOSE PROVIDED FOR MALE OFFENDERS?

SHOULD JAILS BE USED AT ALL FOR THE AVERAGE FEMALE OFFENDER, OR SHOULD SHE BE PROVIDED THE OPPORTUNITY TO PARTICIPATE IN PRE-TRIAL INTERVENTION PROGRAMS, HALF-WAY HOUSE PROGRAMS, OR OTHER SUCH ALTERNATIVES TO INCARCERATION?

SHOULD STATUS OFFENDERS BE

(A) LOCKED UP?

(B) REMOVED ENTIRELY FROM THE JUVENILE JUSTICE SYSTEM?

(C) BROUGHT INTO THE SYSTEM ALONG WITH THEIR FAMILIES?

CHAPTER II - WOMEN OFFENDERS

A. Introduction -- Statistical Background

In 1972 the District of Columbia Commission on the Status of Women said:

> The paucity of data on the female offender is only slightly less disturbing than the lack of concern. Neither the criminal justice system nor the public even knows who the female offender is, much less what her needs and problems are.[1]

In terms of detailed information, this statement appears true still today. In Alaska, as elsewhere, because there are relatively few women offenders, it is the male prisoner who has received the bulk of the State's attention and assistance. There are women behind bars, however, and their numbers are growing; for society's welfare as well as that of the individuals involved, the neglect of these women must stop.

The FBI reports that from 1960-1970 female arrests increased 69 percent. The increase for men during the same decade was 25 percent.[2] From 1968 to 1973, arrests of females for serious crime reportedly increased 52 percent, while comparable male arrests increased five percent.[3] In 1953, approximately one out of every seven arrests for larceny involved a female; in 1972 the ratio was one in three. In 1974, one out of every five persons arrested was a woman.[4] However, the proportion of women arrested for violent crimes such as homicide, assault and robbery, has remained constant at approximately ten percent for the past 20 years.[5]

After arrest, the statistical information becomes more sparse. The FBI reports that one out of every nine offenders convicted is a female, and one of every thirty persons sentenced to jail or prison is a woman.[6] The majority of women convicted of crime are placed on probation.[7]

Where comparable data is available, Alaska generally follows the national patterns. There were 18,574 arrests in Alaska in 1975; 3,311, or 18 percent, were women.[8] As of August 16, 1976, women comprised 12 percent of the total state correctional facilities population, both sentenced and unsentenced, eight percent of the adult and 29 percent of the juvenile populations.[9]

Earlier statistics from a 1971-73 Division of Corrections study, however, show that 59 percent of convicted women in Alaska spend some time in jail. While precise national figures were not obtained on this point, the fact that the majority of convicted women across the country are merely placed on probation suggests that Alaska's incarceration rate may be significantly high. Sentences during the period studied ranged from one month (53 percent); two to six months (36 percent); 13 - 24 months (five percent); and more than two years (six percent). Twenty-six percent of the sentenced women were recidivists.[10]

Some information has been gathered regarding the race and age of female offenders, and the type of offenses committed. Forty-six percent of the 1971-73 Alaskan admissions were Caucasian, 41 percent Native and 12 percent Black. The jail population was markedly youthful: 51 percent of the women in custody were between the ages of 18 and 24; 31 percent between 25 and 39; and 18 percent over 40. Women were more likely to commit a Part II (less serious) offense, with 72 percent of the cases falling into this classification. Of the Part I offenses, only nine percent involved personal harm.[11] A review of women in the Anchorage jail in June of 1975 disclosed that alcohol-related offenses were the most common category of crime, followed by prostitution-related charges.[12]

While the female offender is not so frequent a statistic as her male counterpart, her numbers in Alaska and elsewhere do seem to be increasing. Since she is likely to spend some time incarcerated, and since in one out of four cases she commits a second offense within three years of the first, it is important to investigate what actually takes place in Alaska jails.

B. Physical Facilities for Women Offenders

Any study of institutional facilities for criminal offenders must bear in mind the purposes for which confinement is ordered. Under the Alaska Constitution, "Penal administration shall be based on the principle of reformation and upon the need for protecting the public".[13] The Alaska Statutes require that the Commissioner of Health and Social Services "provide suitable prison facilities for the safekeeping, housing, care and subsistence of all persons charged or convicted of offenses against the state. . . ."[14] "Deprivation", "retribution" and "punishment" are not terms included in statute or constitution. Yet some of the physical facilities used for female prisoners in Alaska comport more with those terms than with the guidelines of reformation and public protection. While alternatives to conventional jails are discussed in subsection C.2. of this chapter, this discussion assumes the continued use of traditional forms of confinement in Alaska and examines the nature of the existing facilities in different locales in the state.

Anchorage. All women prisoners in Anchorage -- the pre-trial detainee, the unsentenced, and the sentenced felon and misdemeanant -- are housed in the State Correctional Center Annex. The Annex contains five dorms and four "exercise yards". One dorm and one "exercise yard" are used by women prisoners; the other facilities are for male pre-trial detainees. The female dorm (otherwise known as the "tank") consists of eight bunk beds on one side, some tables with benches where all meals are taken in the middle, and toilets, sinks and showers on the other side. Adjoining the dorm are three two-person cells used for disciplinary purposes or when isolation is otherwise required. The sleeping area of the room contains 25.4 square feet per person; the rest of the dorm area (the "dayroom") is 407 square feet. The "exercise yard" is a 71-foot by 39-foot concrete courtyard enclosed by cement walls and covered with barbed wire.[15]

While sentenced women -- misdemeanants and felons -- are confined in the Annex along with those awaiting trial or sentencing, for the most part, the male population there is limited to those who have not been sentenced. Upon sentencing, moreover, the men are further segregated by severity of offense and length of sentence. Most male felons are placed in the State Correctional Center at Eagle River, about 13 miles north of downtown Anchorage.[16]

In Pennsylvania, where a similar disparity in the treatment of male and female prisoners existed, the state Supreme Court held:

> A sentence of simple imprisonment for men results in that man being insulated from the company of the hardened criminals. Women sentenced for such lesser crimes, however, are denied this protection and could, regardless of the nature of the crime, be incarcerated with criminals of the worst type. This result subverts the intention of the legislature that persons convicted of lesser crimes be sheltered and denies women so convicted of the

> equality of treatment to which they are entitled. This is contrary to the guarantees inherent in the Fourteenth Amendment.[17]

In addition to its isolation of the more serious offenders, the Eagle River facility bears little physical resemblance to the unpalatable quarters of the Anchorage Annex. Individual sleeping rooms with 80 square feet per room are provided each prisoner. The common areas of the living quarters contain 2,400 square feet in each house for 40 inmates. The men have a separate cafeteria area. For recreation, there is a baseball diamond, basketball court, and 1/4 mile track. The list of advantages in physical features, compared to the women's facility, goes on and on.[18]

The distinctions between the facilities for men and women do not stop at the obvious physical differences, however. Because of the Division's internal policy requiring segregation of the sexes,[19] the women at the Annex are severely limited in such matters as visiting privileges. They must divide among themselves one hour three times a week to see friends and relatives. According to one woman, in her case this worked out to 15 minutes three times a week. At Eagle River, by contrast, visiting rooms are open every day from 9:00 a.m. to 9:00 p.m. In addition, there are outdoor visiting areas with picnic tables and barbecue grills, three private visiting rooms and three visiting booths.[20]

At the instigation of the Alaska Human Rights Commission, the Division of Corrections did attempt to locate new quarters for its Anchorage female prisoners to meet the above referenced problems. The effort was thwarted when the Anchorage Assembly failed to approve the necessary zoning changes. When the proposal was defeated, Herb Machner, Assistant Director of Corrections, was quoted as saying construction of a new facility for women might be commenced "'when the oil starts flowing'" but not before because the funds are not available.[21] As the Pennsylvania case suggests, and as discussed further at the conclusion of this section, legally, funds might have to be made available promptly, with or without the flow of oil. Mr. Machner now reports that the Governor has approved funds in the budget for construction of a 75-bed facility for women offenders in Southcentral Alaska.[22] It will be up to the Legislature to see that the budget remains intact.

Juneau. Juneau has a four-bed dorm and four single units for women. According to Superior Court Judge Thomas E. Schultz, the "facilities in [Juneau] are fairly new and adequate. . . and there is adequate recreation area available in the women's wing".[23]

Ketchikan. In comparison to the Juneau facility, Judge Schultz says that in Ketchikan, "the opposite is true". He reports that "The women's facility is located in the children's detention home and it is old and inadequate. It is plainly and simply a holding facility with little or no program and no recreation area". But Judge Schultz does indicate that "We are in the beginning stages of new correctional facilities in Ketchikan, and I hope they will alleviate the problem".[24] The Legislature might insure that "lack of funds" does not halt this process as it appears temporarily to have precluded change in Anchorage.

Petersburg. Kristen Billings O'Dowd, magistrate in Petersburg for six and one-half years until May of 1976, states that the jail there is "good" "for a town that size". O'Dowd reports that the physical facilities for males and females are essentially the same, although females "tend to be more isolated as women must be housed apart from the male prisoners, which means a more enclosed cell area where they could not see or hear the other prisoners as readily."[25] Once again, the sexual segregation policy may be having invidious effects on the female population; further investigation of the Petersburg facility would be appropriate.

Haines. Haines magistrate Carl W. Heinmiller reports "We do not have adequate jail facilities, period."[26] An investigation into the need for such a facility in Haines should be conducted.

Fairbanks. In Fairbanks, women are housed in one wing of the men's jail. As in Anchorage, female pre-trial detainees, women awaiting sentencing, and sentenced felons and misdemeanants are housed together. The men in Fairbanks, however, are similarly mixed. And the policy of segregating the sexes prevails. A lawsuit was filed in June of 1976 contending that women in the Fairbanks facility received unequal treatment in many respects; by stipulation and order dated July 12, 1976, many of these inequities appear to have been rectified. Thus, women must be furnished their own law library in their activity room (since they are not allowed to share the men's law library); the women's regular library is to be expanded; women's recreation time in the "men's" gym has been expanded, and so on.[27]

Kodiak. Superior Court Judge Roy H. Madsen states:

> Our facilities here in Kodiak, both for men and women, are minimal at best, but I'm sure that is true throughout the state and will remain so until such a time that more emphasis is given to rehabilitation centers with financial resources to support them.[28]

Glennallen. According to magistrate Sheldon Sprecker, Glennallen has two cells. In contrast to the usual problem of excessive concern with segregation of the sexes, in Glennallen a man and a woman can be placed immediately next to each other in these cells, affording neither sufficient privacy. When a prisoner is violent because of drug withdrawal or otherwise, physical shackling to the bed is used as the only recourse.[29]

The opinions related above pertaining to some of the State's prison facilities suggest that a review of every jail in the State should be performed. In light of the fact that seven of the 27 judges and magistrates responding to a letter of inquiry on women in the Alaska justice system indicated that they "regrettably" had no knowledge of the adequacy of women's jail facilities,[30] judicial representation on a review panel would be appropriate. In each case, it should be determined if the lesser number of female offenders and the policy of keeping male and female prisoners apart have resulted in inequitable jail conditions for women prisoners. Inequities found should be remedied, and not excused on financial grounds. Case law now exists to suggest that cost-benefit ratios cannot be used to justify discrimination:

> [W]omen's opportunities cannot be defeated by failure to appropriate money. States may be compelled to expend money on facilities for women. . . .
>
> In Barefield v. Leach, Civ. #102-82, (D.N.M. decided December 19, 1974) the Federal Court held that women prisoners are entitled to equal treatment with male prisoners. The Court did not say that women prisoners should have the same programs as men but that they should have parity of treatment, or that the same amount of money should be expended upon them. The Court found that the small numbers of women prisoners was not an excuse for lesser facilities or small allocations of funds. (Emphasis added.)[31]

The examination of the physical facilities for women offenders could be conducted in conjunction with an analysis of the kinds of programs offered or feasible within these jails. As indicated below, Alaska does less for its female prisoners (and thereby for the public) in the way of offenders' programs and services, than it does in regard to physical facilities.

C. Programs and Services for the Female Offender

Alaska's Constitution, as previously noted, aims at protecting the public and "reforming" the offender. If in most cases this does not (and cannot legally) mean locking up offenders forever to protect society, then something specific must be done to "reform" them. In fact, by statute, the Commissioner of Health and Social Services is required to "establish programs for the treatment, care, rehabilitation and reformation of prisoners."[32] Yet there are virtually no such programs for women in Alaska. A Division of Corrections' Preliminary Draft of Standards and Goals states:

> Under the division's segregation practice, female inmates cannot take advantage of those institutional programs offered to male inmates. DOC does not provide any vocational, educational or work programs for female offenders due to their small percentage of the total inmate population and with most of them serving relatively short sentences.[33]

This lack of programs violates state law and constitutional guarantees of equal protection; it also makes little practical sense. In the words of some authorities:

> It is paradoxical that while all the evidence points to the fact that women criminals are more likely to be rehabilitated, and in fact are more frequently rehabilitated, the facilities which are supposed to produce rehabilitation are less available to them.[34]

1. Conventional Offender Programs

Within the traditional jail or prison system, programs directed at lessening the probability of recidivism are possible.

Vocational Training, Work Release, Job-Related Programs.

A 1973 national prison survey conducted by the Yale Law Review found that men's institutions averaged 10 vocational training programs per facility, while the rate was 2.7 for women's prisons. The men's programs, moreover, were offered in financially rewarding fields such as electronics, printing, plumbing, data processing, radio/t.v. repair, welding and tailoring. Women's prisons, on the other hand, offered housekeeping, cosmetology, food services, nurses aid and secretarial training.[35] In Alaska, there are no vocational programs for women, while the men at Eagle River, for example, have opportunities in leathercraft, jewelry making, ceramics, soapstone, small engine repair, aircraft groundschool, and other trades.[36]

If interest is demonstrated, women should be able to partake in such programs through occupation of a portion of the facilities at Eagle River. There would seem no reason why the "segregation of the sexes" rule could not be relaxed to this extent. Additional vocational training programs, perhaps community-based, might also be considered. Careful screening of participants would be necessary and vocations selected would have to match genuine interests of program participants. As one woman incarcerated in the Anchorage Annex bluntly stated (paraphrased), there is no point in training women to be laundresses or seamstresses when they have in the past and could in the future maintain a much higher standard of living in the world of crime.

Work-release programs for female offenders have been restricted in Alaska, in part because of the lack of facilities available to house women participating in the program. According to authorities, work-release participants should not be housed together with other inmates, because of the pressures that non-released inmates bring to bear for the importation of drugs and other contraband into the institution.[37] While the men in Anchorage and Fairbanks, for example, have separate facilities to meet this problem,[38] the women, again, do not. Presumably if a facility for women is ever bought, leased or constructed, separate wings for women of varying statuses could be developed to allow them the opportunity for participation in the full range of programs now available to men.

As the women offender leaves the institution, the State has a further role to play to lessen the likelihood that she will become recidivist. A 1972 study of women prisoners at Rikers Island in New York revealed that the first priority of these women upon release was to obtain assistance in finding jobs.[39] It seems fair to assume that women offenders in Alaska would be similarly oriented, especially in light of the fact that being paroled is often contingent upon obtaining prior assurance of employment. One former felon insists that "Alaska's recidivism rate could be greatly reduced just by getting [female offenders] back to work in jobs that pay commensurately with their skills and abilities." In Anchorage, the New Start program operated by the Division of Corrections attempts to meet this need -- and provides other assistance to the released prisoner as well. The Division and the Legislature should consider the necessity of comparable programs in other parts of the State.

Education. In a 1971 survey of the population of the Federal Reformatory for Women in Alderson, West Virginia, it was learned that two-thirds of the women were of average or above average intelligence, but slightly less than one-third had completed high school. Moreover, according to the Scholastic Achievement Test, only three percent were actually at the 12th grade level, and 50 percent ranked below the eighth grade.[40]

There is no comparable information for Alaska, but a generalization from the Alderson data would suggest that female offenders are as intelligent as anyone but (perhaps) lack the formal, quality education to enable them to compete successfully in the work world. Education, for those interested, could conceivably play a key role in reducing recidivism. At Eagle River, again, there are GED classes, art classes, and community college courses taught at the facility, along with access for those eligible to classes off-grounds. At Anchorage, there is only the potential for school release for a limited number of women.[41] Recommendations presented at a female offenders' workshop which took place in 1974 included availability of GED exams and classes to those confined to the institution; reinstatement of a college credit system (possibly through correspondence courses); and consideration for a place to study and do homework.[42] These recommendations seem minimal; the educational needs and programs for female offenders throughout the State should be reviewed and appropriate changes implemented.

Alcohol and Mental Health Programs. "Lack of care and treatment of offenders with alcohol-related problems" has been designated as the first priority problem area in a list prepared by a Corrections Task Force.[43] In the Preliminary Draft of Standards and Goals cited previously, the extent of alcohol problems in corrections was depicted as follows:

> 1. In a 1969 study of one-half the Alaskan residents in 15 state, city and federal jails, 80% reported that they had been drinking at the time of their offense; 36% had been charged with Drunk in Public.
>
> 2. In a 1974 random sample of District Court cases (misdemeanors), 42% of the charges were alcohol related (OMVI, Drunk on a Roadway, Disorderly Conduct.) . . .
>
> 4. In a study completed in 1975, which traced down recidivism in 1,123 individuals released from corrections custody in 1971, an overall recidivism rate of 36% was reported for the three-year period, 50% of recidivism was accounted for by those with alcohol related offenses.
>
> 5. In a 1974-75 sample of 103 offenders with sentences of six months or more, 84% reported that they had been drinking on the day of the offense for which they were incarcerated.
>
> Fifty percent of the 103 offenders also reported having a serious drinking problem. The data also indicates that alcohol use is equally associated with violent and non-violent crime . . .[44]

The introductory profile of the female offender in the Anchorage jail indicated that alcohol-related offenses are the Anchorage women prisoner's most common category of crime; the above statistics are thus particularly pertinent to this study.

The Preliminary Draft indicates that three alcohol programs receiving state funding sponsor programs in adult corrections institutions: the Juneau Alcoholic Rehab Center; the Ketchikan Alcoholic Recovery Home; and API's six week alcoholism re-education therapy program. Other programs reputedly available include Alcoholics Anonymous, a BIA alcoholism education program for Natives; a six week alcohol/drug abuse education course at Palmer and a reality confrontation group in the Juneau Correctional Center.[45] Yet API's program has been abolished, and the Superintendent of the Anchorage jail states that there are in fact no AA meetings in the facility.[46] Outside the jail, a program conducted by the Anchorage Council on Alsoholism is sometimes included in the sentencing of offenders convicted of driving under the influence.

The Glennallen magistrate states that aside from a Native alcohol program which does accept both sexes, there is no local alcohol rehabilitation program. When he is presented with a non-Native female offender with an alcohol problem and children at home, the woman is simply sent home; a male is more likely to be sent to Anchorage for help.[47] The ex-magistrate in Petersburg writes of a situation that may be all too common:

> I did experience frustration as a Magistrate in attempting to place women prisoners in rehabilitative programs in the State. One particular woman badly needed a comprehensive alcohol program but jail time was also well-deserved. She was willing to participate, but the facilities in the State which I contacted had no such program for women. The Juneau State Jail, for instance, had a fairly good alcohol program, but because of their very limited number of women prisoners, they were unable to offer much time or support to a woman prisoner. As it turned out, we were able to get her into the Mt. Edgecombe program, but only because she was native, and of course she could not be incarcerated there.[48]

There are enough recovered alcoholics around to state with some assurance that alcoholism is treatable. Existing programs in Alaska corrections institutions must, in fairness and legality, be expanded to include equal participation by, and orientation to, women, whether or not this requires relaxation of the sexual segregation rule.

Treatment is also needed in areas other than alcohol rehabilitation. The Preliminary Draft of Standards and Goals states that "Mental health programs and facilities within Alaska for the mentally disordered offender are almost non-existent. . .; Approximately one out of ten offenders given psychiatric evaluations require mental health treatment.[49]

The Draft states that there is a contract psychiatrist available on an as-needed basis at institutions in Juneau, Palmer, Anchorage and Fairbanks. Anchorage and Ketchikan offer group and individual counseling and therapy. And Eagle River, again, offers the most comprehensive program with two full-time psychological counselors and additional staff with counseling training.[50] The four women offenders interviewed in depth at the Anchorage Annex did feel that they had become involved in crime for "some psychological reason" they did not understand; they were all willing to have psychiatric or psychological treatment. One offender, in fact, related that she had been ordered by her parole board to obtain (while incarcerated) psychiatric help as a condition of obtaining parole; despite her efforts to that end, no psychiatrist had been made available to her. Again, the lack of services to females is ironic, as it is believed that the dependent role of women in society often makes them more willing than their male counterparts to accept a "helping" relationship with a counselor.[51]

The Corrections Task Force has made recommendations for funding of some mental health services for prisoners. (Appendix II - A.) Since women offenders tend to hold themselves in low esteem as women,[52] counseling sessions oriented in part towards eradicating sexist stereotypes of women might be particularly appropriate. The Task Force recommendations should receive serious legislative attention, with the caveat that personnel and programs funded take into account the particular needs of women offenders.

Health Care. Women offenders have specific physical health needs. One woman interviewed at the Anchorage Annex had just begun to serve her two-year term; she was eight months pregnant. She had requested that service of her sentence be postponed until after the baby's birth. Despite the savings to the State that such a step would have occasioned, and despite the fact that the woman had been convicted of embezzlement -- an offense she was unlikely to commit again in the next month -- her request was denied. She was sentenced effective immediately. It is hard to understand how society, the mother or the baby could profit by such a decision.

Again, the Anchorage facility may be contrasted to Eagle River. At Anchorage, a medical doctor comes to the institution twice weekly and is also on call. No specific medical facilities are available for his use. At Eagle River, a doctor is present every day; three rooms are used as an infirmary; and examination rooms affording privacy and medical equipment are available.[53] A general review of the system's response to the health needs of women offenders should be considered.

Family Orientation. Nationally, 70 to 80 percent of incarcerated females have children; approximately half of these mothers constitute the sole support of their dependents.[54] Mothers may lose contact with their children after arrest with no means of locating them for some time. Loss of custody for those mothers who are sole supporters may occur, with children being referred to relatives, foster homes or adoption agencies. Even when satisfactory care or custody arrangements are made, the severe limits on visiting time for women in men's institutions can result in estrangement of mother and child. Finally, for women on parole or probation, problems can arise from requirements that the offender locate and maintain employment. Most special job training and education programs -- and jobs themselves -- do not provide child care facilities, a fact which may preclude some women offenders from participating in programs or obtaining employment.[55]

At one women's institution, The Purdy Treatment Center in Washington, living units are equipped with children's books, toys and a small play area.[56] This concept, in conjunction with the kind of open visiting allowed for the men at Alaska's Eagle River facility, would promote continuity in familial relationships which could be all-important to success upon release. Efforts should be made in Alaska to provide access between offenders and their spouses and children (at a minimum). Ambitious building programs may create ideal settings for this at some future date, but the need should be met to the extent possible immediately.

Daily Routine. At the Anchorage jail, at least, there is virtually nothing to do. In 1927, the General Secretary of the American Prison Association contended that "'idleness in a prison is subversive of discipline and hurtful of the morale, intellectual and physical well-being of the inmates'".[57] Some fifty years later, the women interviewed at the Annex reinforced this viewpoint. After speaking with them, it was difficult to perceive what benefit society could derive from the increased hostility occasioned by their enforced idleness.

Making conditions unnecessarily worse, orders during this past year have revoked the women's right to use make-up (a pastime, if nothing else) and have put them into "uniforms" (men's work clothes) rather than their own clothes. The latter step, ironically, was taken as a result of a complaint from male prisoners that they were being discriminated against, because they were in uniforms while the women were not.[58] In addition to specific rehabilitation programs in the vocational, educational and counseling areas, as previously discussed, the Legislature should examine alternatives such as increased trusteeships and corrections industry programs (about which there is considerable controversy, and which are recommended only for study here) to determine productive ways in which female inmates could spend their time.

2. Alternatives to Conventional Programs and Services

While Eagle River may be a "model" penal facility, it remains within the basic mold of confinement, separating the

the inmate from society. Some authorities have questioned whether, at least for large classes of female offenders, such total separation is either necessary or wise. (The analysis may well be applicable to a substantial portion of male offenders as well.) One writer poses the question in this fashion:

> [I]t is necessary to ask whether there is really any good reason to confine [a woman convicted of a crime] at all. In view of the social costs of imprisoning women, the psychological harm to the individual, and the fact that society receives little or no benefit, this question should receive more attention than it has so far.[59]

The author characterizes delinquent women as generally "weak, dependent and helpless", and goes on to state:

> [W]omen who have shown a tendency to be more dependent than the average woman are confined to institutions where dependence is demanded and independence discouraged. Yet their circumstances will soon require them to be far less dependent than the average woman.[60]

One authority has clearly resolved the question in favor of alternatives to imprisonment:

> Theoretically, the routes are open for courts and legislatures to force these states to expend untold sums of money to build 'equal' prisons for women. This would be a calamity, as this society does not need more fortress-like schools for crime and human degradation. Instead, this set of circumstances should be viewed as an unusual opportunity for those states that have unequal facilities and programs for women to spend moneys on alternatives to prisons, such as community facilities, halfway houses where children can live with their mothers, vocational training programs, and extensive counseling services.[61]

This reasoning appears sensible in light of the fact that most women offenders are not involved in violent crimes. Warden McLaughlin of the federal prison for women estimates that perhaps 400 inmates out of the total prison population of 525 could be returned to community-based facilities immediately.[62] According to author Suzanne Crowell, "Inmates at Alderson say they judge only 5 percent of their population to be dangerous, and wardens across the country generally agree with that figure."[63] Crowell concludes from her study of Alderson:

> Any way you look at it, institutionalization of most convicts, and certainly most female convicts, is counterproductive. . . .
>
> [In place of imprisonment], many observers now advocate commitment to community based correctional facilities. In view of the dismal record of most prisons in preventing repeat offenses, it is hard to see that such programs could do worse. They are much cheaper to run. The convict can take advantage of study and vocational training opportunities which, while not adequate, are more numerous in metropolitan areas than they are behind bars or barbed wire fences. She can even work for a living. Family, friends, and other support could be maintained. The difficult transition from the totally repressed, dependent state fostered by prison life would be eliminated.[64]

Crowell ends with the question: "Is there much to lose?"[65]

Various alternatives are in use in other jurisdictions. Their desirability and cost efficiency should be studied for use in Alaska. By way of example:

Pretrial Intervention. Pretrial intervention is a program whereby defendants are given the opportunity to avoid the stigma of criminal conviction entirely by participating in a supervised program of specified conditions which, if followed, may result in dismissal of charges. The pretrial program may last for three to six months, and is primarily used for young, non-violent, first-time offenders. Program components usually include vocational training, employment services, counseling, educational assistance and referrals in areas of health care, housing and legal aid.[66] When queried about this concept, Anchorage District Attorney Joseph Balfe indicated that he thought it was a good idea, but that certain judges in the court system had opposed it in the past.[67]

Social Service Volunteer Program. In Utah, there is a novel program which, although it does operate out of the State Prison Women's Facility, still constitutes an "alternative" to customary ways of treating offenders. Residents in the program serve as social service volunteers in Salt Lake, participating in YMCA programs, Headstart, and the like. The program's philosophy is that offenders traditionally think of themselves as individuals capable only of receiving services (i.e. the dependency syndrome) rather than productive persons able to assist others.[68]

Halfway Houses. There are no halfway houses for women in the State, although Fairbanks, at least, has one for men. A 1975 study conducted by the American Bar Association's Correctional Economics Center found that in the District of Columbia, halfway houses were less costly than the local detention center for women.[69] Halfway house programs can assist residents in making arrangements for financial security, housing, employment or training before they leave the program. Participants are generally expected to maintain the house and generate their own income as soon as possible. Some programs offer space for children; most at least assist in placing children in satisfactory temporary homes.

The kinds of programs available for consideration both within the bounds of traditional confinement and without are numerous. While conditions for women in some cases, such as the Anchorage Annex, require immediate solutions (albeit of a temporary nature), long-term changes should be the subject of careful (though not necessarily time-consuming) local needs assessments and evaluations of programs across the country. An "Outline for Action", including a standardized checklist which might be useful in performing the requisite needs assessment, is attached as Appendix II - B to this chapter.

Changes in long-standing policies such as sex-segregation rules may be necessary. Integration of Eagle River may be required. The law requiring that one-third of an offender's sentence be served prior to consideration for parole may have to be amended to make viable program opportunities feasible.[70] And if women's programs are substantially upgraded, another look may have to be taken at men's opportunities to insure that a reversal in discriminatory practices does not occur. The short term expense will concern many responsible legislators. The long term savings in crime reduction, corrections, institutional costs, welfare expenses, etc., should alleviate this concern.

D. Female Juvenile Offenders

1. Status Offenses

Studies have been conducted showing that nationally, more girls than boys are charged with "status offenses" (Offenses that would not constitute a crime for adults, such as truancy, running away and incorrigibility.) [71] An HEW study based on police apprehension of youths reported that 68 percent of all runaways were female. Yet a private researcher's 1972 survey, since updated with the same result, found no significant difference between the sexes in self-reported runaway incidents.[72]

Boys are involved in the juvenile justice system, but most frequently as delinquents, having committed an offense which does constitute a crime for adults.[73] One authority explains the disparity in male-female patterns on the grounds that:

> "the double sexual standard in this society has caused the sexual and moral misbehavior of girls to be considered more serious than similar behavior of boys, and it is consequently more strictly repressed and punished."[74]

Others believe that girls simply act out their problems in self-destructive ways, while boys are more inclined to violent acts constituting crimes against society.[75] Whatever the reason, girls in Alaska, as elsewhere, are brought into the juvenile justice system as status offenders in disproportionate numbers. Thus, in 1975, 38 percent of the referrals to the court system for female juveniles were for status offenses. While the girls as a group constituted only 27 percent of the juvenile population brought into the court system, they accounted for 62 percent of the status offenders. The figures for the first seven months of 1976 are remarkably lower, with only two percent of the boys' referrals, and only ten percent of the girls' cases, attributable to status offenses. Again, however, the girls account for a full 66 percent of the total number of status offenses.[76]

Most of the status offenders are runaways. In 1975, the Anchorage Police Department and the Alaska State Troopers together reported approximately 1,900 such cases;[77] 25 percent of the female juveniles processed through the Anchorage Court System's intake office fit this category.[78]

Notwithstanding the large dimensions of the problem, in Anchorage there are only two free beds available for runaways not under State custody.[79] (State custody is assumed only for the habitual or chronic runaway who has left home many times over a period of several months or years.) Of 270 non-State custody runaways seen by the local Runaway Project in its first year of operation, an estimated 220 requests for shelter had to be turned down for lack of facilities.[80]

There is considerable controversy over what should be done with the status offender. In Alaska, status offenders may not be institutionalized, unless they subsequently violate a condition of probation and are adjudicated "delinquent".[81] But they may be "detained" in corrections institutions for up to 30 days pending adjudication.[82] According to the 1976 Juvenile Justice and Delinquency Prevention Comprehensive Plan Supplement for the State of Alaska, published by the Criminal Justice Planning Agency, such detention may have disastrous results. The Plan states:

> Most Alaskan communities, particularly in the bush areas, lack shelter alternatives for status offenders and dependent children who are in need of temporary emergency placement. In such a community the detention facility or jail becomes the only available emergency shelter. Research has shown that a child who comes in contact with the justice system for the first time in this way often reappears as an offender.[83]

Some believe that status offenders should be removed entirely from the juvenile justice system. Susan Gordon of Youth Advocates has cited probation officers' estimates indicating that because of heavy caseloads, each probation officer can provide each child and his family with only 2.1 hours of service per month. She writes that,

> The court, as well as the probation department, having minimal or no legal sanctions over [status offenders], having little or no time to do family counseling, and without diversion programs, cannot effectively work with status offenders.[84]

Gordon's concern goes beyond the lack of services provided by the court system; she contends that court intervention may actually hinder familial resolution of status offenders' problems. As long as the court system responds in some fashion to these problems, she believes the family will not build its own strengths, and the community will not take responsibility for the development of family-based assistance programs. The same kinds of concerns all expressed by a Criminal Justice Planning Agency Task Force:

> [T]he juvenile system is too frequently used as a substitute for inadequate or inappropriate educational, social and health services in Alaska, and . . .the justice system itself may be preventing the better and increased delivery of these services by continuing to process the children neglected by other systems through oversight or failure. As long as the justice system continues to alter its service delivery to cope with the failures of educational, health and social service systems, families and communities to be effective in the lives of some families and children, it misleads the public into believing that the system can and will deliver rehabilitative services and that the limited quantitative and qualitative resources of the State must be applied after a crisis has occurred.[85]

Jay Warner, Intake Officer for the Court system, has a different viewpoint; he believes that status offenders should be "locked up" in the same manner as delinquents. While this practice may still be followed in many jurisdictions, it is not presently possible in Alaska and has been successfully challenged on legal grounds in New York.[86] Warner's concern, and that of Ms. Gordon as well, is that status offenders may begin their courthouse contact with non-criminal behavior, but they often "graduate" to delinquent offenses. Catherine Pierce, Assistant Project Director of the National Resource Center on Women Offenders, concludes that this course of development is "a result of inappropriate response to [the status offender's] initial problem."[87]

Melissa Middleton, formerly co-director of Alaska Youth Advocates and presently director of Family Connection, a program that deals extensively with runaways, presents still another perspective on the problem. She believes that runaway youth are only the indicators and scapegoats of parents' marital problems or other family strain. Middleton suggests that the coercion attendant upon court intervention may be necessary for some families, although she does not favor locking up the usual status offender. Rather, she would like to see the State explore a new concept whereby the status offender's entire family would be brought into the justice system as a "Family in Need of Services".[88] Civil libertarians may oppose such an innovation, as ensnaring those who have committed no offense in the juvenile justice system net. But in light of the family problems associated with runaways, an approach along these lines at least bears investigation.

The current statute defining status offenders may be impermissibly vague, as the New York statute was found to be. Its disproportionate application to girls may violate constitutional guarantees of equal protection. But irrespective of the legality of current status offender procedures, the reality is that they are not sufficiently effective. It is recommended, therefore, that alternative means of dealing with status offenders, such as the establishment of runaway shelters, family oriented services, or other analagous programs -- be explored, and new programs be implemented as speedily as possible.

2. Institutionalization of Delinquents

Those juveniles who are adjudicated "delinquent" may eventually end up at McLaughlin Youth Center. McLaughlin operates essentially on a cottage basis, in a physically attractive setting. There is a closed unit for particularly violent or difficult boys, but no such unit for girls. John Pugh, Program Director at McLaughlin, indicates that a 6-bed closed section for girls is needed. At present, those girls who are too dangerous to be accommodated in the open cottage, are sent Outside, and, according to Pugh, they bring their problems back with them upon their return to Alaska.[89] The Legislature should provide the necessary funding for a girls' closed unit at McLaughlin.

Girls not only have no security setting in Alaska, according to Pugh and Jay Warner in the Intake Office, judges go to great lengths to keep the (less violent) female offender out of McLaughlin. While there are waiting lists for the boys' cottages, the single girls' cottage is not full. The Director of the girls' cottage believes that judicial leniency towards girls does them a disservice; that the girls are thereby compelled to commit more offenses, give out more "cries for help", experience more partial measures, before they are finally placed in a program where they can be helped.[90] Others contend that institutionalization is such a drastic step that it should only be taken as a last resort.[91] The judiciary should conduct a self-examination to determine if there is in fact a disparity between sentencing practices for boys and girls.

While it may take girls longer to get into McLaughlin, once there they tend to stay longer than boys. According to

Pugh, boys stay an average of about nine months; girls stay from one to one and one-half years.[92] These statistics comport with national findings.[93] What hard statistics do not show is whether there is any sound reason for keeping girls institutionalized so much longer than boys. An explanation for the difference in periods of confinement should be obtained and corrective action taken by McLaughlin if appropriate.

There was insufficient time to study the intermediate steps that both boys and girls may experience before arriving at McLaughlin. The Legislature and the Division should consider a study to evaluate existing programs and determine which are worthwhile and which could be improved or discontinued. In such an assessment, the particular needs of girls should be recognized; their tendency to be dependent should be taken into account so that institutional programs making it more difficult for them to reenter the mainstream are not over-emphasized. And personnel in all juvenile corrections programs should be asked to examine themselves for their own possible biases. Mr. Warner, for example, insists that female delinquents are harder to handle than males; that "you can't reason with delinquent girls because they are more morally corrupt", "more devious".[94] Michaele Giesler, a female intake officer working with Mr. Warner, finds the boys every bit as difficult and "devious".[95]

RECOMMENDATIONS

THE LEGISLATURE SHOULD DIRECT THE DIVISION OF CORRECTIONS TO CONDUCT A NEEDS ASSESSMENT OF WOMEN OFFENDERS AND TO REVIEW EXISTING FACILITIES AND PROGRAMS FOR WOMEN OFFENDERS TO DETERMINE WHERE SUCH FACILITIES AND PROGRAMS DO NOT MEASURE UP TO THOSE PROVIDED MALE OFFENDERS AND DO NOT ADEQUATELY MEET THE NEEDS OF WOMEN OFFENDERS.

THE LEGISLATURE SHOULD DIRECT THE DIVISION OF CORRECTIONS TO EXPLORE ALTERNATIVES TO INSTITUTIONALIZATION FOR WOMEN OFFENDERS, SUCH AS PRE-TRIAL INTERVENTION AND HALFWAY HOUSES, AND TO IMPLEMENT SUCH PROGRAMS AS APPEAR PRACTICABLE, ON AN EXPERIMENTAL BASIS.

THE LEGISLATURE SHOULD PROVIDE ADEQUATE FUNDING FOR FACILITIES AND PROGRAMS FOR WOMEN OFFENDERS.

THE DIVISION OF CORRECTIONS SHOULD ELIMINATE THE SEX SEGREGATION RULE WHERE IT IMPEDES FULL EQUALITY IN FACILITIES OR PROGRAMS FOR WOMEN OFFENDERS; IN THE ALTERNATIVE, IF NECESSARY, THE LEGISLATURE SHOULD ENACT LEGISLATION REQUIRING SUCH CURTAILMENT OF THE SEGREGATION RULE.

THE LEGISLATURE OR MUNICIPAL GOVERNMENTS SHOULD PROVIDE BEDS FOR RUNAWAY YOUTH NOT UNDER STATE CUSTODY PURSUANT TO DOCUMENTED NEED.

THE LEGISLATURE SHOULD STUDY THE POSITION OF STATUS OFFENDERS IN THE JUVENILE JUSTICE SYSTEM AND MAKE APPROPRIATE CODE REVISIONS FOR GREATER FAMILY INVOLVEMENT, MORE OR LESS JUSTICE SYSTEM INVOLVEMENT, OR OTHER APPROACHES TO THE PROBLEM OF STATUS OFFENDERS.

THE LEGISLATURE SHOULD FUND A SIX-BED CLOSED UNIT FOR GIRLS AT McLAUGHLIN YOUTH CENTER.

JUDGES AND JUVENILE JUSTICE SYSTEM INTAKE PERSONNEL AT THE COURT SYSTEM SHOULD EXAMINE THEIR OWN PROCESSING OF JUVENILE CASES TO UNCOVER ANY POSSIBLE SEX DISCRIMINATION.

Appendix II - A

Excerpt From
Preliminary Draft of Corrections' Standards and Goals, p. 21

STANDARDS

1. The legislature shall provide adequate funding for the Division of Corrections to contract staff psychiatrists by 1976 to develop and administer complete mental health services for all sentenced offenders within all Alaska correctional institutions. Mental health services would include diagnosis, a drug therapy program, and training staff in identifying and dealing with those offenders needing mental health services. Funding would provide for a minimum of one full-time psychiatrist in Anchorage, one-half time for Fairbanks, one-quarter time in Juneau, and as needed in Ketchikan, and other psychological services as needed.

APPENDIX II - B*

Outline For Action

Before projects and services for female offenders can be implemented, certain information must be developed and evaluated to insure program effectiveness.

Needs Assessment: Basic information on women should be gathered locally to determine the needs of female offenders and ex-offenders. This survey should be conducted in a minimal amount of time by local government employees (e.g. probation officers, parole officers, state criminal justice planners) or by local women's organizations (e.g. the Commissions on the Status of Women). The sample of women surveyed can be restricted by collecting information on women on probation over a given period of time (e.g. January 1, 1976 through December 31, 1976) or by surveying women in the local jail or prison on a given day of the year.

In conducting a survey of this nature, two things should be kept in mind: (1) the statistics being gathered represent information about people and the individuality of those people should always be considered; and (2) the ultimate objective of the survey is program action.

A standardized checklist including the following information on each client should be developed:

- Name
- Age
- Race
- Place of residence (City/Town/County)
- Place of Birth
- Offense
- Previous offenses committed
- Date of arrest
- Date of detention (if applicable)
- Place of detention (if applicable)
- Date of hearing
- Date of release from detention
- Date of trial
- Court action
    - Case dismissed
    - Sentenced
        - Probation
        - Imprisonment
    - Length of sentence
    - Terms of sentence

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* From Female Offenders: Problems and Programs, Female Offender Resource Center; American Bar Association, April 1976, pp. 36-39.

Date of imprisonment (if applicable)
Place of imprisonment (if applicable)
Date of release (if applicable)
Status of release
    Pre-parole
    Parole
    Unconditional
Marital Status
Number of Children
Ages of children
Was client responsible for her children at the time of her
    arrest
    detention
    imprisonment
Who was responsible for children during arrest,
    detention
    imprisonment
Educational level
Employment history
Was client employed at the time of her arrest,
    detention
    imprisonment
Does client intend to work in the future?
What kinds of employment training is she interest in/qualified for?
Medical history
    Any special medical problems?
    mental
    physical
    Any history of drug abuse or alcoholism

Analysis: Once this basic information has been collected, a simple analysis should be conducted to determine the range of programs which the community needs. Program needs will vary among communities, and should be designed to serve a specific population based on the results of the local survey. A range of coordinated programs may be required to meet a variety of needs.

Planning: In designing an employment and training program for women offenders, planners should first examine the local job market and compare available jobs to the employment histories of the women they intend to serve. They should further examine the income needs of their prospective clients, relating needs to existing job possibilities.

Existing programs for male offenders should be re-examined as potential models and expanded, if appropriate, to include females. Existing programs for women should be re-evaluated to correct any deficiencies in the delivery of services.

Coordinated efforts of criminal justice and employment planners, corrections departments and other service agencies must be developed and maintained to avoid duplication of effort and to insure cost effectiveness.

Existing community resources which can be utilized to compliment program services should also be identified. These resources might include local vocational training or apprenticeship programs, women's medical clinics, day care facilities, adult education programs, continuing education programs at local universities, legal aid projects, and counseling services.

Implementation: A successful program for women and girl offenders should involve the local community at both the planning and development stage. Administrators should employ staff, including ex-offenders, who demonstrate sensitivity to the needs and problems of the clientele. In addition, each project should attempt to include as many of the following components as possible or to develop an effective referral system:

- Health care services
  - Physical examinations for all clients upon entry
  - Referral to medical specialists (e.g. gynecologists)
  - Capability to handle drug and alcohol abuse problems
- Employment and training services
  - Job preparation (counseling, group seminars, etc.)
  - Job development
  - Job placement
  - Referral to on-the-job training and apprenticeship programs
  - On site programs (training, job readiness)
- Educational services
  - On site tutoring
  - Referral to existing community programs
    - Adult Basic Education
    - Higher Education
- Child Care services
  - On site child care facilities
  - Referral to day care programs
  - Referral to child counseling services
  - Referral to babysitter services
- Housing
  - Program residence for women who would like to share living situation
  - Assistance in locating independent housing
  - Referral to other agencies who assist in this area

Seminars
  Discussion of particular subjects (renting an apartment, banking, child care problems, legal problems, etc.)
  Support groups

Evaluation: A good program will measure its success regularly by determining if it is serving the participants' needs. A comprehensive evaluation strategy must be developed at the outset, including such performance measures as the number of training, employment and educational elements provided, the number of successful placements, the length of time participants remained in training or on the job, and the cost effectiveness of the program. Impact measures which can also be evaluated are recidivism rate and training and career advancement.

A clear statement of program objectives should be specified at the end of the planning phase. These objectives must be stated in quantifiable form for measurement during evaluation. An evaluation follow-up should be maintained for a reasonable period of time and for no less than one year.

FOOTNOTES - WOMEN OFFENDERS

1. Female Offenders: Problems and Programs, Female Offender Resource Center, American Bar Association, April 1976, p. 7.
2. Marilyn G. Haft, Women in Prison, p. 352, note 2.
3. Suzanne Crowell, "The Federal Reformatory for Women: What Does it Accomplish", Civil Rights Digest, Fall 1974, p. 26.
4. Female Offenders: Problems and Programs, supra note 1, at 1.
5. Id. at 6.
6. Haft, supra note 2, at 344.
7. Female Offenders: Problems and Programs, supra note 1, at 39.
8. Uniform Crime Reports, State of Alaska, 1975 Arrests By Offense and Sex.
9. Letter to Katz from Judy Hill, Deputy Director/Chief Planner, Criminal Justice Planning Agency; August 30, 1976.
10. Alaska Division of Corrections, Female Admissions 1971-1973, pp. 4-6.
11. Id. at 1-4.
12. Female Bookings - June 1975, Division of Corrections, Anchorage Annex, pp. 1-4.
13. Alaska Constitution, Article I, Section 12.
14. AS 33.30.040.
15. Observations from personal visit to Annex and interview with Superintendent Moses, September 26, 1976, and figures from Findings of Investigation in Thomas v. State of Alaska, et. al., Human Rights Commission, Docket No. A-75-0306-115-ES.
16. Telephone conversation with Herb Machner, Assistant Director, Division of Corrections, December 13, 1976.

17. Commonwealth v. Stauffer, 214Pa Super. 113, 251 A2d 718, (1969).

18. Findings of Investigation in Thomas v. State of Alaska, *supra* note 15.

19. Conversation with Machner, *supra* note 16.

20. Findings of Investigation in Thomas v. State of Alaska, *supra* note 15.

21. Anchorage Times, September 29, 1976, pp. 1-2.

22. Conversation with Machner, *supra* note 16.

23. Letter to Katz from Judge Thomas E. Schultz, September 21, 1976.

24. *Id*.

25. Letter to Katz from former magistrate Kristin Billings O'Dowd, October 20, 1976.

26. Letter to Katz from Carl W. Heinmiller, September 21, 1976.

27. Order of July 12, 1976 in Fairbanks Correction Center Inmates vs. Williamson, Fourth Judicial District, Case No. 76-868.

28. Letter to Katz from Judge Roy H. Madsen, September 21, 1976.

29. Telephone conversation with Sheldon Sprecker, September 24, 1976.

30. Letters to Katz from Judge Eben Lewis, September 17, 1976; Justice Edmund Burke, September 8, 1976; Judge Allen T. Compton, September 7, 1976; Justice John H. Diamond, September 7, 1976; Justice Roger G. Connor, September 3, 1976; and interviews with Justice Robert C. Erwin, October 5, 1976 and Judge Seaborn Buckalew, October 7, 1976.

31. Marilyn Haft, "Legal Challenges to Unequal Treatment of Women Offenders", The Women Offender Report, July/August 1975, pp. 1-2.

32. AS 33.30.020.

33. Attachment to memorandum from Peggy A. Zufent to Corrections Task Force members, January 20, 1976.

34. Nagel and Weitman, Double Standard of American Justice, quoted in Women's Prisons: Laboratories for Penal Reform, Wisc.L.Rev. (1973) 210, 230.

35. Female Offenders: Problems and Programs, supra note 1, at 2.

36. Conversation with Machner, supra note 16.

37. Interview with Charles Moses, Superintendent of the State Correctional Center Annex at Anchorage, August 26, 1976.

38. Conversation with Machner, supra note 16; men on work release programs in Anchorage are housed in the 3rd Avenue correctional facility; Fairbanks has "Comeback House", a converted five-plex, for this purpose.

39. Female Offenders: Problems and Programs, supra note 1, at 9.

40. Crowell, supra note 3, at 26.

41. Findings of Investigation in Thomas vs. State of Alaska, supra note 15, at 5.

42. Material presented at Female Offenders Workshop, Eagle River Corrections Facility, September 5, 1974.

43. Preliminary Draft of Standards and Goals, supra note 33, at i.

44. Id. at 1.

45. Id. at 2.

46. Interview with Superintendent Charles Moses, supra note 37.

47. Telephone conversation with Sheldon Sprecker, supra note 29.

48. Letter from Kristin Billings O'Dowd, supra note 25.

49. Preliminary Draft of Standards and Goals, supra note 33, at 19.

50. Id.

51. Women's Prisons: Laboratories for Penal Reform, supra note 34, at 228.

52. Interview with Terri Stoneburner, formerly legal intern at The Purdy Treatment Center for Women, December 7, 1976.

53. Findings of Investigation in *Thomas v. State of Alaska*, *supra* note 15, at 5.

54. *Female Offenders: Problems and Programs*, *supra* note 1, at 2.

55. *Id.* at 2-3.

56. *Id.* at 27.

57. Preliminary Draft of Standards and Goals, *supra* note 15, at 16.

58. Interview with Superintendent Moses, *supra* note 15.

59. Women's Prisons: Laboratories for Penal Reform, *supra* note 34, at 212.

60. *Id.* at 223-224.

61. Haft, *Women in Prison*, *supra* note 2, at 349.

62. Crowell, *supra* note 3, at 33.

63. *Id.*

64. *Id.*

65. *Id.*

66. *Female Offenders: Problems and Programs*, *supra* note 1, at 13.

67. Interview with Joseph Balfe, October 15, 1976.

68. *The Woman Offender Report*, November/December 1975, p. 7.

69. *Female Offenders: Problems and Programs*, *supra* note 1, at 19.

70. AS 33.15.080.

71. Project Plan, Alaska Youth Advocates, 1976, p. 7(h).

72. Rosemary Sarri, et al., *The Female Offender: An Annotated Bibliography*; The University of Michigan, School of Social Work; August, 1975, p. 17.

73. Female Offenders: Problems and Programs, supra note 1, at 3.

74. Haft, Women in Prison, supra note 2, at 343.

75. Interview with Jay Warner, Alaska Court System Intake Officer, Third Judicial District, October 11, 1976.

76. Statistics presented in, or computed from, tables contained in letter from Susan Gordon, Alaska Youth Advocates to Gail Rowland, Chairman, Juvenile Justice Advisory Commission, August 10, 1976).

77. Runaway Project Grant Application to Office of Youth Development, H.E.W., July 1976, p. 47.

78. Id. at 48.

79. Runaway Project Grant, supra note 77, at 52.

80. Id. at 54.

81. AS 47.10.080; In re A Minor Child, 490 P.2d 658 (1971); L.A.M. v. State, 547 P.2d 827 (1976).

82. Rule 7(g), Alaska Children's Rules.

83. 1976 Juvenile Justice and Delinquency Prevention Comprehensive Plan Supplement for the State of Alaska, Alaska Criminal Justice Planning Agency, p. 79.

84. Alaska Youth Advocates Project Plan, p. 7(j).

85. Standards and Goals, Juvenile Justice System, Criminal Justice Planning Agency, Summer 1976; p. 0-1.

86. Gesicki v. Oswald, 336 F.Supp. 371 (S.D.N.Y. 1971).

87. Catherine Pierce, "State Profile: Young Women Offenders in Massachusetts", The Woman Offender Report, July/August 1975, p. 4.

88. Telephone interview with Melissa Middleton, November 17, 1976.

89. Interview with John Pugh, Program Director, McLaughlin Youth Center, September 2, 1976.

90. Interview with Rose Anderson; Director, Girls Cottage, McLaughlin Youth Center, September 2, 1976.

91. Interview with Susan Gordon, October 8, 1976.

92. Interview with Pugh, _supra_ note 87.

93. _Female Offenders: Problems and Programs_, _supra_ note 1, at 3.

94. Interview with Jay Warner, _supra_ note 75.

95. Interview with Michaele Giesler, October 11, 1976.

BATTERED WIVES

FACTS

NO AGENCY PRESENTLY MAINTAINS STATISTICS ON THE INCIDENCE OF WIFE BEATING, BUT ESTIMATES FROM POLICE REPORTS OF FAMILY DISTURBANCE AND DISORDERLY CONDUCT CALLS INDICATE APPROXIMATELY 3.3 WIFE BEATINGS PER DAY INVOLVING POLICE CONTACT IN ANCHORAGE.

WIFE BEATING OCCURS IN ALL ECONOMIC CLASSES.

TWENTY-TWO PERCENT OF THE POLICE OFFICERS KILLED ON DUTY IN 1974 WERE RESPONDING TO A FAMILY FIGHT CALL.

A WOMAN ASSAULTED WITH A DEADLY WEAPON BY A STRANGER CAN OBTAIN COMPENSATION FROM THE VIOLENT CRIMES COMPENSATION BOARD; A WIFE SIMILARLY ATTACKED BY HER HUSBAND CANNOT.

ISSUES

SHOULD POLICE DEPARTMENTS BE REQUIRED TO KEEP STATISTICS ON THE INCIDENCE OF WIFE BEATING?

SHOULD DOCTORS, SOCIAL WORKERS AND OTHER PROFESSIONALS BE REQUIRED TO REPORT INCIDENTS OF WIFE BEATING, AS CHILD ABUSE IS CURRENTLY REPORTED?

SHOULD THE ALASKA STATUTES BE AMENDED TO

1. ALLOW FOR PROBABLE CAUSE MISDEMEANOR ARRESTS BY POLICE OFFICERS IN CASES WHERE ONE ADULT MEMBER OF A HOUSEHOLD ASSAULTS ANOTHER?
2. ELIMINATE EXCLUSIONS FROM THE VIOLENT CRIMES COMPENSATION BOARD STATUTE SO THAT BATTERED WIVES WOULD BE COVERED?

SHOULD MORE FEMALE PATROL OFFICERS BE HIRED TO BE AVAILABLE TO RESPOND TO WIFE BEATING CALLS?

SHOULD POLICE ADOPT SPECIAL CRISIS INTERVENTION PROGRAMS, IN CONJUNCTION WITH TRAINED MENTAL HEALTH PROFESSIONALS, FOR USE IN DOMESTIC DISTURBANCE CASES?

SHOULD DISTRICT ATTORNEYS CONTINUE TO DISCOURAGE OR REFUSE TO PROSECUTE WIFE BEATING ASSAULT AND BATTERY CASES ON THE GROUNDS OF STATISTICAL PROBABILITY THAT THE WIFE WILL EVENTUALLY DROP THE CHARGES?

SHOULD MORE SEVERE SENTENCES BE IMPOSED IN THE AVERAGE WIFE BEATING CASE?

SHOULD SHELTERS FOR BATTERED WIVES BE ESTABLISHED?

CHAPTER III - BATTERED WIVES

The subject of battered wives was not originally included in the justice system chapter of this study. Despite severe limitations on time and financial resources, however, the topic would simply not be ignored; it surfaced repeatedly in the literature acquired, the telephone calls and interviews conducted for different parts of the study, and the concerns of local community groups. Battered wives need the Legislature's and the public's attention and assistance. The dilemma of these women, and of their children, is presented by Jones in the section on mental health. This chapter explores some of the practical binds confronting battered wives and the legal system's inadequate response to their plight.

A. The Extent of the Problem

The exact number of wife-beatings per year is unknown. Based on police reports and family court statistics, U. S. News and World Report estimates approximately one million cases each year.[1] Murray Straus of the University of New Hampshire states:

> that a marriage license is for many people a hitting license, that physical violence between family members is probably as common as is love and affection between family members, and that if one is truly concerned with the level of violence in America, the place to look is in the home rather than on the streets.[2]

Statistics from various parts of the country show:

An estimated 650 incidents of wife beating in Montgomery County, Maryland (one of the nation's most affluent areas) in one year;

More than 800 calls in a year to a New York City crisis line open two hours a day;

Calls averaging about 45 a day, or 18,000 a year, in Boston; and

A Citizens Dispute Settlement Center in Dade County, Florida handling nearly 1,000 cases involving beatings of women in nine months.[3]

In 1973 in New York there were 4,764 reported rapes; about 14,000 wife abuse complaints reached the family court during the same period.[4]

In Anchorage, Captain G. Weaver of the Anchorage Police Department says that no statistics are maintained on the incidence of wife beatings. It is not a separate crime, but may be involved in a police call ultimately classified as a "disturbance", "family disturbance", "disorderly conduct", "assault and battery" or brandishing of firearms".[5] Computations derived from family disturbance and disorderly conduct calls suggest that in 1975 Anchorage police responded to approximately 1,232 wife beatings in the old City of Anchorage and the Spenard Service Area.[6] This figure reduces to 3.3 reported wife beatings per day, in only a portion of the Anchorage Municipality.

Most wife beatings, however, go unreported.[8] Other indicia of the rate of wife abuse are, therefore, necessary. Particularly telling is the fact related by Jones, that 70 to 75 percent of the women seeking legal assistance of any kind from Alaska Legal Services acknowledge being beaten by their husbands.

The medical community has further information. Mona Ravin, Assistant Professor of Community Health Nursing, and President of the Alaska Nurses Association, says that registered nurses "frequently encounter" battered wives in hospitals, doctors' offices, clinics and community or home settings.[9] And these are only the more serious cases.

There is evidence, thus, that wife-beating occurs in Alaska as elsewhere. Police departments should be required to keep statistics revealing the incidence of wife abuse in order that sensible approaches to the problem can be taken. Captain Weaver seemed to believe that it would be too time-consuming to ask police officers investigating disturbance calls routinely to note if a wife beating has occurred. Police Statistician Patricia Shanks seems to think it would be impossible to find space on her classification papers to record such information.[10] Legislation may be necessary to compel the recording of this data. And legislation should be considered to require doctors, social workers and other professionals to report incidents of wife beating, much as child abuse is reported.[11] The wives' anonymity, however, might have to be preserved.

B. Societal Underpinnings of Wife Beating

1. Acceptance of Wife Beating

Social scientists beginning to look at wife-beating see it as a norm, as behavior deemed an integral -- and acceptable -- part of married life. The husband's "right" to beat his wife may have been graphically demonstrated in an experiment conducted by three psychologists from Michigan State University. They staged a series of fights for unsuspecting passersby. Male witnesses rushed to the aid of men being assaulted by men or women and also helped women being hit by other women. But not one male bystander interfered when a male actor "beat" a female victim.[12] Straus hypothesized that,

> it is possible that male bystanders did not come to the aid of a female victim of a male assailant because they inferred that he was the woman's husband. This, in fact, is the reason given for not intervening by a number of those who stood by as Kitty Genevese was murdered.[13]

The normalcy of wife-beating is even reflected in literary works. In "The Killing of Sister George", a play about a lesbian couple, when June makes threatening moves towards Alice the dialogue proceeds:

> Alice: Don't touch me. You've got no right.
> June: I've got every right.
> Alice: I'm not married to you, you know.[14]

This hands-off attitude towards wife beating is implicit in law enforcement's response to the problem. According to Nancy Brewster, in "Wife Beating" Male Enforcement of Status and Property Rights":

> Very often the police and others in the system feel they should not intervene in domestic scenes; outsiders feel it is none of their business, or that it is acceptable for the head of the family to exercise this kind of force to keep things in order. It is what allows wife beating to exist outside the law, and allows the

> man a certain amount of immunity. The authority invested in the head of the family often serves as immunity from the sanctions or intervention of the law of the state.[15]

2. Myths About Wife Beating: "It's a lower class phenomenom," and "She Could Leave if She Wanted To".

Myths about who is beaten and why the beatings continue reinforce the laissez-faire attitude towards these victims of crime. Many people believe, for example, that wife-beating is essentially restricted to a small portion of society located entirely within the lower economic classes. Captain Weaver shares this attitude.[16]

In fact, however, this is a crime that cuts across class lines, although middle class women may be especially reluctant to call the police. In one case, a man beat his wife with his golf club. As one social worker asked, "'What could be more middle class than that?'"[17] In Fairfax County, Virginia, a wealthy suburb of Washington, D. C., police received 4,073 family disturbance calls in 1974; they estimate that Fairfax County wives seek an average of 30 assault warrants a week.[18]

A survey conducted for the National Commission on the Causes and Prevention of Violence by Louis Harris and Associates in 1968 found that:

> The poor and less educated are not more likely than the middle class to resort to physical forms of aggression. We have assumed that middle-class persons vent their hostilities through more sedate channels; i.e., they are supposed to be more verbally violent. Actually, physical violence is reported as equally common among all income groups and education levels. This finding is also true for frequency of physical violence. The middle class is not only as likely as others ever to have engaged in physical aggression, but have done so as often.[19]

Battered wives from middle class families are emerging in Anchorage. Several of the middle -- and in fact, occasionally, upper-class women interviewed in connection with the divorce segment of this study -- reported serious and repeated beatings from their husbands.

The women encountered by Nurse Ravin were also frequently middle class.[20] It seems plausible that, as Brewster writes:

> The only reason more wife beating is reported to the police in lower socio-economic families is because they have less privacy in their neighborhoods and violence is more likely to become a police matter. The police are more a part of their daily lives than they are in the upper strata.[21]

It is an unfortunate commentary on our society that only when middle class women bring wife-beating out of the closet and into the open, the problem begins to gain recognition.

A second, devastating myth about battered wives is that these women "enjoy" or "need" the beatings. After all, if the woman did not like it or need it, so the theory goes, "she would leave, wouldn't she?"[22] Taking this position, Captain Weaver pointed to a blue directory of social service agencies sitting on his bookshelf and suggested that the answers to a battered woman's plight were contained in those pages. Unfortunately, the answer is not so simple. But the myth of easy solutions breeds contempt for the battered wife from society at large and the legal system in particular. If positive attitudes toward battered wives, and constructive action to help them are ever to become realities, law enforcement officers and the public in general must be apprised of the reasons why battered wives stay.

The economic dependence of battered wives and their isolation have been described by Jones in the mental health section. Alaska's distance from other states, its transient population, and the high cost of living here can only exacerbate these problems. In addition, emotions which exist prior to the onset of beatings are not simply eliminated once the abuse starts; many women report serious conflicts because they still love their husbands.[23] Others have been encouraged to believe that they can find fulfillment only in marriage, and that failure in marriage would represent their failure as women.[24]

Most important, however, is the fear depicted by Jones; it cannot be overemphasized.

> It is difficult for people who have not been beaten to understand the fearful world that the battered woman lives in. But this is perhaps the biggest reason why beatings go unreported -- the woman cannot risk another (maybe worse) beating when the man is arrested and released.[25]

The volitional qualities ascribed to battered women may not exist in the face of overwhelming fear. According to Brewster, "It is the woman's fear that causes irrationality that results in an inability to extricate herself from the situation. She looses her power to escape."[26] While she may call the police in a moment of desperation, by the time they arrive "the wife may be so terror-stricken -- so threatened and intimidated by her husband -- that she may be unable to articulate the facts about the incident and may even turn the officers away."[27] Fear has even driven women who had the courage to escape back into their homes. Erin Pizzey, founder of the first shelter for battered women in England, says:

> Very few people understand this kind of fear. It is the fear of knowing that someone is searching for you and will beat you when he finds you. In the mind of someone who has been badly beaten, this fear blots out all reason.[28]

In one case where a wife had obtained temporary accommodations only to have her husband find her, break in and threaten her, she returned home. She explained that it was better to be where she knew he was "than to sit night after night in fear waiting for him to catch her."[29]

Alaska women have reported fear not only for their own welfare, but in one case, fear that the husband would follow through on suicide threats if she left, and in others, fear that he would take the children away.[30]

Closely related to fear is the further-immobilizing lack of self-respect alluded to by Jones. Brewster describes the vicious cycle in which the woman is first economically dependent upon her husband; that economic dependence is generalized into emotional and psychological dependence; the woman loses respect for herself because of her dependence; and finally, because of her lack of self-respect, she may come to believe she deserves the beatings.[31] Martin takes the analysis a step further, suggesting that a woman who fails to act because of her lack of self-respect thereby diminishes her self-respect still more, making escape more unlikely all the time.[32] The battered woman's failure to attribute importance to her own life was poignantly portrayed by an Alaskan wife who, when asked if her husband also beat her children, answered emphatically: "No! I would have left him or shot him, he seemed to know I would not be pushed that far."

C. The Legal System's Response to Battered Wives

The reasons why battered wives stay, thus, are comprehensible. They become even clearer when police, prosecutor and judicial reactions to wife beating are examined.

1. The Police

Attitudes towards wife-beating. Police do not like wife beating cases: 1974 FBI statistics show that 22 percent of the 132 police officers killed in action that year were responding to family fight calls.[33] Wife beating is, therefore, considered dangerous for officers; police attitudes regarding its seriousness for victims are not so clear.

On the one hand, statistician Shanks minimizes the offense, repeatedly referring to wife beating cases as "ordinary a and b's". She states that "A good percentage of the women deserve to get a and b'd by their husband", later elaborating that the wife will "[run] off at the mouth" until "she pushes him to the breaking point".[34]

Captain Weaver shares these sentiments, but in contrast to them, he has also stated that in every one of the "Spenard Divorce" cases investigated by the Anchorage police, there has been evidence of prior wife beating (or at the very least "domestic disturbance" calls) in police files.[35] The threat of death in these cases is very real, requiring serious concern for the victim on the part of responding officers.

Current practices. As previously indicated, in Alaska as elsewhere, there are several different laws and ordinances under which police may apprehend a wife beater. However, unless there is a weapon involved, an assault with an intent to kill or rape, or one which causes substantial impairment or loss of part of the body, the offenses are all misdemeanors. As such, they are punishable by a maximum of six months in jail and/or a $500 fine.[36]

In the typical case, as explained by Captain Weaver, police receive a call from the wife or neighbors indicating that a "family disturbance" is taking place. When they arrive at the scene they seldom observe an actual beating in progress -- the wife has either rebuffed the man by her call, or the beating has already taken place. Under Alaska law, the police are not empowered to arrest for a misdemeanor unless it occurred in their presence;[37] they therefore attempt to calm the parties down, inform them of their rights and leave. Those rights include the woman's prerogative (since she "witnessed" the assault) of signing a private person arrest form and subsequently filing a formal complaint against her husband at the police station. The total time expended by police on such cases averages 17 minutes.[38]

When female patrol officers are involved, Captain Weaver reports they have an "observalbe tendency to have a quieting effect". This comports with findings elsewhere.[39] Unfortunately, out of 80 patrol officers, the Anchorage police have only four women in their ranks.[40]

Very few women pursue the citizen's arrest option which police are supposed to present. Alaskan women have reported fear of renewed assaults once their husband is released.[41] One woman said "Fairbanks' police talked me out of pressing charges",[42] a statement which comports with a provision in the police training manual recommending against arrests in "domestic" situations.[43] And all the dependency factors listed in Section B.2. of this Chapter further inhibit a woman from taking the onus of arrest upon herself.

In those rare cases where the police do take the husband to jail, bail for any of the misdemeanors is almost uniformly set at $25.00. That amount is quickly secured, and the husband is usually free within an hour.[44] Police, in effect, do very little to help the battered wife.

Necessary reforms. The police response to wife beating could be improved in three material respects. First, the Alaska Statutes should be amended to provide for probable cause misdemeanor arrests in cases where one adult member of a household has assaulted another. Such a procedure would not require that the officer actually witness the crime in order to make an arrest.

Arrests are necessary if wife beaters are to recognize their behavior for the criminal conduct it is. Nancy Brewster explains that the "benevolent non-arrest policy"

> would be satisfactory if the responsible [party] responded to this leniency and kindness and resolved never to resort to abusive behavior again. Unfortunately, it does not work this way. The man only sees this leniency as reinforcement for his abusive behavior, and he quickly learns that anything short of a hematoma is tolerated by the system.[45]

To facilitate arrests, however, the burden must be removed from the victim. Probable cause misdemeanor arrests would allow the police to assume their appropriate law enforcement responsibilities. As Brewster writes, perhaps under such circumstances "the batterer would see his arrest more as a result of his actions rather than hers."[46]

Captain Weaver does not favor such a revision; he contends that the woman "is asking for help; she should take the responsibility."[47] This view seems unrealistic in light of the information about battered wives and their terrorized state of mind. Police attitudes must change, with the assistance of improved training programs, if good law enforcement practices are to be implemented in response to this crime.

A second reform in police procedures would entail greater use of female patrol officers. Since they seem to be particularly effective in defusing volatile family fight situations, efforts should be increased to assure their employment in larger numbers and their assignment to these kinds of calls when feasible.

Third, improved crisis intervention practices need to be implemented. Police officers are given some crisis intervention training in Anchorage. However, the 17-minute duration of their average response to domestic disturbance calls suggests that they see their role primarily as immediate violence-aversion -- and not as a means to approach the underlying problems that will erupt in further violence in the future. Police departments should investigate programs experimented with elsewhere, such as "Project Outreach" in Hayward, California.

Project Outreach uses mental health professionals to respond to calls along with specially trained police officers. When the situation loses its element of danger, the officer leaves and the professional remains for as long as necessary to resolve the problem. The Project offers ten free counseling sessions and return home visits if necessary, and families are encouraged to call the Project directly if the need arises. Where long-term treatment is indicated (for alcohol, drug abuse problems, and so forth), referrals are made to other agencies.

By the end of the Project's first year, repeat calls to police had been reduced by 27 percent and total calls by 22 percent. Domestic disturbance calls took 15 percent less time for police officers; no officer injuries or deaths had resulted from these calls, and no serious injuries were known to have occurred in families served by the Project.[48] The Legislature and local government bodies should consider funding, or obtaining grants for, such programs.

Finally, bail schedules for wife-beating offenses need to be reevaluated. If a man requires considerable cooling off (or drying out) before he can safely be released to return home to his wife, $25.00 bail is not going to insure adequate protection for her. Statute allows a judicial officer to order a defendant kept in custody if he will "pose a danger to other persons and the community"; higher bail may also be exacted.[49] Police officers should not routinely allow bail to be set at $25.00, but should seek higher bail if necessary. Judges should re-examine bail schedules to determine if they provide adequate protection in cases of wife-battering.

2. The District Attorneys

The literature reflects a particularly negative attitude toward assault charges involving wife-beating on the part of district attorneys offices throughout the country.[50] In Anchorage, District Attorney Joseph Balfe says he discourages wife-beating charges, although he says the office does take a lot of them. Very few go to trial, primarily, according to Balfe, because the women drop the charges.[51] In one unusual case, Assistant D.A. Gene Murphy reports that he felt strongly enough about bringing the man to justice that he subpoenaed the battered wife. She evaded the subpoena, and he was compelled -- in considerable frustration -- to close the case.[52]

Balfe states "I don't know what's the matter with these women -- they go right back with these guys."[53] This judgment ignores the circumstances of their existence. It also reflects the fact that attorneys are not equipped to respond to battered wives on their own. Assistant D.A. David Walsh accurately states: "There is a minimum of compassion built into the system." He refers to the fact that he is not a trained social worker.[54]

Ironically, although police indicate that the percentage of wife on husband assaults is extremely small compared to the cases of wife beating, Mr. Murphy reports that the District Attorney's office sees more of those cases than ones brought by battered wives.[55] The situation is disturbing, not only because women as a whole in Anchorage are battered so much more than men, but also because there is usually a history of family violence in the cases that do come to the prosecutor's office. Because the wife chooses to defend herself with a weapon -- or perhaps does in fact become the aggressor in some cases -- she ends up charged with the crime. In some cases this is appropriate, but would be far more so if the husband were also held accountable for his actions. The same sequence of events takes place in other jurisdictions.[56]

The District Attorney's office is naturally concerned about expending time and money on cases which it has little reasonable expectation of pursuing to trial. Yet statistical probabilities of victim follow-through provide a questionable basis for refusing to prosecute for commission of a crime. Certainly, women must begin to take responsibility for persevering once they initiate a judicial proceeding. As battered wives gain community support, they may be bringing cases and staying with them in increasing numbers. Prosecutors now and then should adopt a positive attitude towards these victims. And as indicated in the chapter on rape, district attorneys should seek grants for support personnel in their offices to assist battered wives and other victims of crime in cooperating with the legal system. A greater amount of compassion might, thereby, be built into the system.

3. Sentencing

According to Captain Weaver, sentences for convicted wife beaters are usually minimal -- often a $25 to $50 fine, frequently suspended.[57] Such consequences appear more to condone than to punish for the offense of wife beating. Sentences should be increased, with men serving time on weekends in appropriate cases to allow them to continue work. Martin argues:

> The judge's warning does no good at all. In the case of a first offense where injury is not severe, I believe that at the very least the husband should be remanded to some sort of psychological or psychiatric counseling. A reprimand is not enough. If the batterer receives help at the outset, his erratic behavior might be corrected; he might even learn to control his rage. Since most batterers refuse to seek therapy voluntarily, the court must mandate therapy. Follow-up is also required of the court to protect against the Framingham experience -- where clinicians followed the line of least resistance and wound up counseling the wives instead of the battering husbands. If the offender refuses therapy, he should be sentenced to jail. And repeat offenders should be sentenced to jail automatically.[58]

Martin recognizes the potential objections to her position -- the possible ineffectiveness of forced therapy, the lack of rehabilitation in jail. It may also be an invasion of privacy, or cruel and unusual punishment, to coerce a defendant to have therapy. Martin questions, however, the existence of alternatives; she concludes "the risk of failure is preferable to doing nothing at all and allowing husbands to beat their wives with impunity."[59] Judges should grapple with the propriety of "therapy or jail" alternatives. But whatever their decision, Martin is basically right: the law should be enforced in such a way as to impress upon these defendants the seriousness of their offense.

Judges, moreover, might investigate truly innovative solutions, such as that recently implemented in Hammond, Indiana. The Hammond program involves appointing the battered wife as the husband's probation officer. The judge explains:

> [W]e impress upon the husband that if he hits his wife again, he's not only hitting his wife, he's hitting his probation officer, and he's hitting somebody who works for this court -- the idea behind that being that the husband might not think twice about hitting his wife but maybe he'll think twice about hitting an officer of the court.[60]

The system allows the wife, if beaten again, to call the judge at work or home. She can then obtain an order revoking probation and directing the police to arrest her husband.

4. Victim Compensation

Alaska, like several other states, has a Violent Crimes Compensation statute, the purpose of which is "to facilitate and permit the payment of compensation to innocent persons injured and to dependents of persons killed as a result of certain serious crimes. . . ."[60] The covered offenses include, among others, rape; assault with intent to kill, rob, rape or poison; assault with intent to maim; assault with a dangerous weapon; and threats to do bodily harm.[62] Certainly if "threats to do bodily harm" are included, the crime of "aggravated assault" involving "great bodily injury"[63] should be included -- and also "simple" assault.

Even if amendments to this effect were adopted, however, the statute would still not cover battered wives. For there is an exclusion which provides that "No compensation may be awarded if the victim:

> (1) is a relative of the offender;
> (2) is, at the time of the personal injury or at the time of the injury which results in the death of the victim, living with the offender as a member of the same family or household, or maintaining a sexual relationship, whether illicit or not, with the offender or with a member of the offender's family.[64]

Thus, the victim assaulted by her own husband is not allowed compensation, while the woman mugged on the street is so entitled. Moreover, the victim assaulted or raped by a relative or friend of the husband who happens to be living in the household is also not protected. These exclusions should be eliminated immediately.

D. An Adjunct to the Legal System: the Shelter

As previously indicated, unless the legal system evinces by action that it recognizes the seriousness of this crime, wife beating will continue to be relegated to the insignificant category of "domestic squabbles" with which no one wants to be involved. The success of the changes recommended herein, however, will probably depend in part on reforms taking place outside the justice system. The section on mental health emphasized the need for battered wife shelters. The information presented in this portion of the study corroborates that need. State and municipal governments should provide adequate funding for such facilities.

RECOMMENDATIONS

THE LEGISLATURE SHOULD ADOPT LEGISLATION:

1. PROVIDING FOR PROBABLE CAUSE MISDEMEANOR ARRESTS IN CASES WHERE ONE ADULT MEMBER OF A HOUSEHOLD HAS ASSAULTED ANOTHER; AND

2. AMENDING THE VIOLENT CRIMES COMPENSATION STATUTE TO PROVIDE COVERAGE FOR BATTERED WIVES.

THE LEGISLATURE SHOULD FUND SHELTERS FOR BATTERED WIVES.

THE LEGISLATURE SHOULD CONSIDER LEGISLATION REQUIRING THAT DOCTORS, SOCIAL WORKERS AND OTHER PROFESSIONALS REPORT INCIDENTS OF WIFE BEATING MUCH AS CHILD ABUSE IS NOW REPORTED.

THE POLICE SHOULD:

1. MAINTAIN STATISTICS ON WIFE BEATING CALLS;

2. PROVIDE IMPROVED ATTITUDE TRAINING IN RELATION TO WIFE BEATING;

3. HIRE QUALIFIED FEMALE PATROL OFFICERS TO BE AVAILABLE TO RESPOND TO CASES OF WIFE BEATING;

4. CONSIDER INNOVATIVE CRISIS INTERVENTION PROGRAMS OPERATED IN CONJUNCTION WITH MENTAL HEALTH PROFESSIONALS; AND

5. UPON ARREST OF A MAN IN RESPONSE TO A WIFE BEATING, DETERMINE IF BAIL NEEDS TO BE SET AT MORE THAN THE USUAL $25.

THE DISTRICT ATTORNEYS SHOULD:

1. HIRE, WITH THE ASSISTANCE OF GRANTS IF POSSIBLE, SUPPORT PERSONNEL TO ASSIST BATTERED WIVES AND OTHER VICTIMS OF CRIME IN MEETING THEIR IMMEDIATE NEEDS AND MAKING PROSECUTION DECISIONS; AND

2. DEVELOP MORE POSITIVE ATTITUDES TOWARDS PROSECUTION OF WIFE BEATING CASES.

JUDGES SHOULD:

1. RE-EVALUATE BAIL SCHEDULES FOR ASSAULT AND BATTERY CHARGES; AND

2. ALTER SENTENCING PRACTICES IN WIFE BEATING CASES TO MATCH THE SEVERITY OF THE CRIME AND IMPROVE CHANCES OF REFORM.

FOOTNOTES - BATTERED WIVES

1. "Battered Wives: Now They're Fighting Back", U. S. News & World Report, September 20, 1976, p.47.

2. Murray A. Straus, "Sexual Inequality, Cultural Norms, and Wife Beating", in Victims and Society, Emilio C. Viano, ed., Visage Press, 1976, p.543.

3. Nancy Brewster, Wife Beating: Male Enforcement of Status and Property Rights; Honors Thesis, University of California, Berkely, Calif.; June, 1976, pp. 30-31.

4. Judith Gingold, "One of These Days--POW! Right in the Kisser: the Truth About Battered Wives", Ms., August, 1976, p. 51.

5. Interview with Capt. G. Weaver and Police Statistician Patricia Shanks, November 29, 1976.

6. In a telephone conversation on December 15, 1976, Captain Weaver related that ten to fifteen percent of the disorderly conduct calls entail wife beating. He further indicated that, combining the old City of Anchorage and the Spenard Service Area, in 1975 there were 1,116 family disturbance and 3,955 disorderly conduct calls. If approximately seventy-five percent of the family disturbance calls are added to ten percent of the disorderly conduct calls, the estimate of 1,232 reported wife beatings is reached.

7. (Footnote eliminated.)

8. Information from survey of battered wives conducted by Dorothy Newman, University of Alaska, December 1976; also Jones, in mental health section.

9. Letter to Katz from Mona Ravin, September 14, 1976.

10. Interview with Weaver and Shanks, *supra* note 5.

11. AS 47.17.010, *et*. *seq*.

12. Straus, *supra* note 2, at 550.

13. *Id*.

14. *Id*. at 546.

15. Brewster, *supra* note 3, at 10.

16. Interview with Weaver and Shanks, *supra* note 5.

17. Gingold, *supra* note 4, at 52.

18. Del Martin, Battered Wives (Glide Publications 1976) p.19.

19. Brewster, *supra* note 3, at 31, quoting Rodney Stark and James McIvoy III, "Middle Class Violence", Psychology Today, November 1970, p. 53.

20. Letter from Ravin, *supra* note 8.

21. Brewster, *supra* note 3, at 32. See, Martin, *supra* note 18, at 54.

22. Brewster, *supra* note 3, at 28.

23. Results from Newman survey, see note 8, *supra*.

24. Straus, *supra* note 2, at 554; Martin, *supra* note 18, at 81-82.

25. Brewster, *supra* note 3, at 27.

26. *Id*.

27. Martin, *supra* note 18, at 76.

28. *Id*. at 78-79.

29. *Id*. at 39.

30. Results from Newman survey, see note 8, *supra*.

31. Brewster, *supra* note 3, at 12.

32. Martin, *supra* note 18, at 81.

33. *Id*. at 14.

34. Interview with Weaver and Shanks, *supra* note 5.

35. *Id*.

36. See, *e.g.*, AS 11.15.150, 11.15.160, 11.15.190, 11.15.220, 11.15.225, 11.15.230, 11.15.295, and 11.45.030.

37. AS 12.25.030.

38. Interview with Weaver and Shanks, *supra* note 5.

39. Martin, *supra* note 18, at 137-138, citing experiences of police forces in New York City, Washington D.C., and Indianapolis.

40. Interview with Weaver and Shanks, supra note 5.

41. Newman survey, supra note 8.

42. Id.

43. Telephone conversation with Captain Weaver, supra note 6.

44. Interview with Weaver and Shanks, supra note 5.

45. Brewster, supra note 3, at 58-59.

46. Id. at 59.

47. Interview with Weaver and Shanks, supra note 5.

48. Martin, supra note 18, at 138-39.

49. AS 12.30.020.

50. E.g., Straus, supra note 2, at 548-49; U. S. News & World Report, supra note 1, at 48.

51. Interview with Joseph Balfe, October 15, 1976.

52. Telephone interview with Gene Murphy, December 2, 1976.

53. Interview with Balfe, supra note 51.

54. Telephone conversation with David Walsh, December 3, 1976.

55. Telephone conversation with Murphy, supra note 52.

56. See, Brewster, supra note 3, at 1.

57. Interview with Weaver and Shanks, supra note 5.

58. Martin, supra note 18, at 180.

59. Id.

60. Lawrence VanGelder, "Giving Battered Wives a Little Legal Clout", New York Times, November 13, 1976.

61. AS 18.67.010.

62. AS 18.67.100.

63. AS 11.15.225.

64. AS 18.67.130(b).

DIVORCE

FACTS

ALASKA HAS ONE OF THE HIGHEST DIVORCE RATES IN THE NATION - SEVEN PER 1,000 POPULATION.

WHILE THE HUSBAND'S ECONOMIC STATUS GENERALLY IMPROVES AFTER DIVORCE, THE WIFE'S TENDS TO DETERIORATE.

THE CHILD'S "BEST INTERESTS" DO NOT NECESSARILY CONTROL IN CUSTODY DISPUTES BECAUSE:

1. ALASKAN MOTHERS ARE STILL, AS A GENERAL RULE, GIVEN PREFERENCE OVER FATHERS IF THE CHILDREN ARE YOUNG; AND

2. ALASKAN FATHERS ARE, AS A GENERAL RULE, AWARDED CUSTODY IF THE MOTHER HAS ENGAGED IN ADULTERY.

ALASKAN CHILD SUPPORT AWARDS ARE GENERALLY INSUFFICIENT IN AMOUNT AND POORLY ENFORCED.

ISSUES

SHOULD ALASKA'S DIVORCE LAW BE AMENDED TO:

1. INCLUDE OBJECTIVE STANDARDS FOR AWARDING ALIMONY?

2. REQUIRE DISCLOSURE OF ASSETS IN ALL CONTESTED CASES?

3. ALLOW COURT-ORDERED WAGE ASSIGNMENTS TO INSURE PAYMENT OF ALIMONY?

4. GIVE PRIORITY TO CUSTODY DISPUTES ON COURT CALENDARS?

SHOULD CHILD STEALING BE DISCOURAGED IN ALASKA BY DIRECTING THE COURTS TO GIVE FULL FAITH AND CREDIT TO CUSTODY DECREES FROM OTHER STATES AND REQUIRING A SUBSTANTIAL CONNECTION BETWEEN THE CHILD AND THE STATE BEFORE TAKING JURISDICTION OF CUSTODY DISPUTES?

SHOULD THE CHILD SUPPORT ENFORCEMENT AGENCY BE FUNDED AT A LEVEL SUFFICIENT TO ALLOW IT TO FULFILL ITS RESPONSIBILITIES?

CHAPTER IV - DIVORCE

A. Introduction

In 1960 the national divorce rate per 1,000 population was 2.2. By 1970 it had grown to 3.5, and by 1975 to 4.8. Divorces exceeded one million for the first time in history in 1975, representing a six percent increase over 1974.[1] Alaska is one of the top six states in divorce rates;[2] in 1974, when the U. S. rate was 4.6, the Alaska rate was 7.0.[3]

Alaska currently has two divorce laws. The "old" law, AS 9.55.070 et. seq., contains both traditional grounds for divorce, such as adultery and desertion, as well as the "no-fault" "incompatibility of temperament" basis. In practice, the operation of the law has usually required the involvement of attorneys. The "new" law, AS 9.55.231 et. seq., is totally "no-fault" and is intended to facilitate divorce for those who do not wish to retain counsel. Parties may file under either statute.

This chapter takes a preliminary look at some of the problems a woman in divorce may encounter, from the financial consequences for her and her children to the factors which may mitigate in favor of, or against, obtaining custody of her children. As was true of women offenders, women divorcees do not hold sole title to the problems they encounter. Men share some, and supplement those with difficulties unique to their sex. This study, however, focuses on the problems that appear to afflict women in substantial numbers.

B. Alimony and Property Settlements

A survey conducted in September of 1975 for the National Commission on the Observance of International Women's Year revealed that only 14 percent of divorced women were awarded alimony, and only 46 percent of those women were actually collecting it.[4] While no precise figures were obtained for Alaska, numerous judges have indicated that alimony is rarely granted in this jurisdiction.[5] This fact may reflect inability of husbands to pay; adequate property settlements; lack of financial need on the wife's part, or other factors. However, since approximately 50 percent of Alaska's married women do not work outside the home,[6] it is unlikely that a substantial number of them would not need alimony upon divorce, at least for some period of time.

1. Need for Statutory Economic Standards

The striking fact about Alaska's divorce laws (and in this respect they are no different from most states' provisions) is the lack of standards to guide judges in distributing property and making alimony awards. Under Alaska's new law, the court may dissolve a marriage if it finds, inter alia, that provisions for spousal support and division of property are not "grossly unfair, unjust or inequitable".[7]

Many authorities believe that the ingredients of a "fair" "just" and "equitable" settlement need to be articulated, and that the growing use of no-fault divorce makes this need particularly urgent for the long-time homemaker. In Nebraska, for example, within six months after a new, no-fault divorce law went into effect in 1972, there was a 59.4 percent increase in divorces among those married 31 years or more; a 49.5 percent increase among those married 26-30 years; and an 18.2 percent increase among those married 16-20 years.[8] It is unknown how many of these women could function effectively without alimony or adequate property settlements.

The Alaska Supreme Court has offered some guidelines not furnished by the Legislature. The Court has stated:

> [T]he principal factors which should be considered by the trial court in resolving property division and alimony issues [are]:
>
> . . . the respective ages of the parties; their earning ability; the duration and conduct of each during the marriage; their station in life; the circumstances and necessities of each; their health and physical condition; their financial circumstances, including the time and manner of acquisition of the property in question, its value at the time and its income producing capacity, if any.[9]

These factors seem reasonable, yet some attorneys argue that they do not go far enough, and that specifying the relevant considerations in divorce statutes would afford better protection to their clients.

The Citizens' Advisory Council on the Status of Women recommends statutory standards on the following grounds:

> More definitive standards for the economic arrangements would reduce hostility engendered by settlements that are less than the homemaking spouse feels entitled to and more than the providing spouse expected. They would enable a couple to consider divorce with more knowledge of the probable economic results, and some might decide to make another try if they could foresee the difficulties.[10]

Both the Citizens' Advisory Council on the Status of Women[11] and the International Women's Year Commission[12] recommend -- as minimal steps -- adoption of the economic provisions of the Uniform Marriage and Divorce Act.[13] In regard to property settlements, the Uniform Act includes the standards set forth by the Alaska Supreme Court, and adds factors such as vocational skills, employability, liabilities, the opportunity of each spouse for future acquisition of capital assets and income, and the contribution of a spouse as a homemaker. The maintenance (alimony) section includes factors such as time needed to acquire education or training for appropriate employment, standard of living during the marriage, age and physical and emotional condition of the spouse seeking maintenance, and the other spouse's ability to pay. (Excerpts from text in Appendix IV - A.) The Legislature should consider adoption of these or similar standards to promote citizen knowledge of, and trial court adherence to, criteria which accurately reflect the economic value of both spouses' contributions to a marriage and their respective economic needs upon dissolution of the matrimonial bonds.

2. Miscellaneous Potential Reforms

The many women interviewed in connection with this portion of the study raised other alimony and support-related problems which merit further consideration by the Legislature.

Maintenance pending resolution of divorce proceedings. While Alaska law provides for interim child support payments and the possibility of interim attorney's fees awards, it does not explicitly provide for interim spousal support.[14] Several women indicated that they were reduced to welfare during the pendency of their divorce actions because there appeared to be no means of obtaining support at that time. One woman reported that she had long resisted filing for divorce (although her husband had assaulted her on numerous occasions), in part because of her inability to support herself during, as well as after, the divorce proceedings. She had raised four children, worked as a secretary, and put her husband through school for his masters and doctorate. She did, in fact, end up on welfare. An Anchorage attorney consulted on this matter indicated that temporary spousal support is in fact awarded occasionally despite the statute's silence on the subject. For purposes of clarity, the Legislature should amend the law to provide specifically for such support.

Disclosure of assets. Other women expressed concern that the court was never fully apprised of the extent of their husbands' estates. While the new law requires that assets be disclosed in the initial dissolution petition, this is not required under the continuing provisions of the prior law. Evidentiary "discovery" rules, while available, are frequently not invoked for this purpose. Moreover, no penalties are provided for presenting false or insufficient information. The International Women's Year Commission argues in favor of strict disclosure legislation, including penalties for failure to disclose, and recommends section 250 of the Domestic Relations Law of New York (Appendix IV - B), for adoption by other states.[16] The Legislature is urged to review the New York legislation for purposes of possible adoption.

Assignment of earnings. Those women who reported receiving maintenance awards uniformly also reported great difficulty in collecting them. One section of the Uniform Marriage and Divorce Act would authorize the court to order the spouse required to pay support to assign an appropriate portion of his earnings (or other income) to the spouse granted support. The assignment could be ordered at the time the award is made, without waiting for a default to occur. The employer of the obligated spouse would then make payments directly to the other spouse. The Uniform Act provides for a $1.00 reimbursement to the employer for each payment he makes to the receiving spouse. Alaska already allows wage assignments for child support;[17] the Legislature should extend this protection (and the court should apply it) to spousal support.

Reduction of arrearages. In both child support and alimony cases, it is not uncommon for the defendant, when finally brought back into court, to plead for elimination of the arrearages on the grounds that he will henceforth meet his payment deadlines faithfully, or that his financial circumstances have changed subsequent to issuance of the support order. Since the wife and/or children have managed to survive (somehow), it is often difficult for them to argue that they "must" have the money owed them. The court's prerogative to reduce arrearages may be subject to challenge. This resolution, moreover, encourages nonpayment of support orders in anticipation of debt forgiveness. To avoid the hardship this process may occasion for a dependent spouse and children, the Uniform Act provides that a decree ordering maintenance or support can be modified "only as to installments accruing subsequent to the motion for modification. . . ."[18] The Legislature should consider adoption of such a provision and should as a minimum adopt a presumption to that effect.

Invasion of private property acquired before marriage. Under the no-fault legislation, the court may not give one spouse any property acquired by the other before the marriage, unless the couple expressly agrees to such award, or the court deems it required by the childrens' interest.[19] The fact that one or both spouses' private property acquired before marriage may have been invaded already in the course of the marriage is not considered. Nor is the fact that one spouse may have squandered joint property during coverture while keeping previously owned investments secure. Under Alaska's old divorce law, on the other hand, the court "may invade the property of either spouse acquired before marriage when the balancing of the equities between the parties requires it . . . .[20] There would seem to be no justification for the inconsistent provisions. A presumption against invasion of previously acquired property would accomplish the Legislature's purpose without closing the door on unusual but foreseeable circumstances. Amendments to this effect should be enacted.

Access to information about divorce. The average layperson knows little about the legal intricacies of obtaining or defending against a divorce. Yet, short of the law library, there is almost nowhere for anyone to go to obtain the most basic information. Numerous women complained about the attitude of court clerks who refused (perhaps under specific orders prohibiting them from engaging in the "practice of law") to provide any information. Given the scope of the divorce problem in Alaska, the State should take some responsibility for making public -- through readily accessible brochures, television and radio spots, newspaper articles and the like -- the facts about rights and obligations, procedures and practices in the process of divorce.

C. Custody

Alaska Supreme Court Justice Robert Erwin estimates that one out of every 18 cases heard by the Court is a custody dispute -- and he believes that for every one such case, there may be 200 more at the trial court level.[21] Preliminary review suggests that the system's approach to custody matters could be improved in several respects.

1. Moral Standards Applied in Custody Cases

In King v. King,[22] the Alaska Supreme Court described the history of custody litigation standards by stating that,

> there has been a steady course of legal development whereby the best interests of the child are to be the paramount consideration in custody cases, to the exclusion of other criteria such as the doctrine that children of tender years will generally be awarded to the mother when other factors are fairly evenly balanced.[23]

Theoretically then, the mother is to be given no innate preference in custody cases simply because of her sex. But in practice, it is the trial court, not the Supreme Court that wields power in this area, for most parties do not have the means to appeal decisions adverse to them. And in the trial courts, preference may still be afforded the woman in custody cases.

In one custody-related hearing a superior court judge in Anchorage said: "The mother, as you know, in the female of any species, is specially equipped by nature to be the custodian of children of tender years."[24] This discrimination is obviously unfair to fathers and potentially detrimental to the best interests of children involved. Yet the bias represents a double-edged sword; in the above-cited case, the mother did not obtain custody. She had committed adultery, and to judges who view women as inherently suited for child-rearing, such sullying of the pure image of motherhood cannot be countenanced.

Three separate judges were involved in various stages of the proceedings in the above-cited case. The first judge expressed himself by saying: "That's a lot to ask the court to do, put a stamp of approval; put the seal of the great state of Alaska on that arrangement [adultery]."[25] The second judge was quoted above. And the third judge, in rendering the final award of custody to the father, openly endorsed the "tender years" doctrine and stated, inter alia, that the "moral life style of the [wife] is not consistent with an atmosphere conducive to the upbringing of young and impressionable children."[26] The case involved a woman who had devoted herself to raising her children, but who was in fact carrying on an affair. The husband was a doctor who devoted most of his time to his career and who was outraged that his children were deriving so much pleasure from the time spent with the "other man". The court shared the husband's outrage; no consideration was given to the evidence indicating that the husband's neglect of his wife and children was largely responsible for their seeking male affection elsewhere.

This problem arises not from the law, but from society's double standard, embraced and reinflicted by the trial judges. But two statutory reforms might beneficially be effected. First, the adultery and cohabitation statutes could be repealed, removing any aura of "legal" sanction from judicial imposition of personal moral values in custody cases. Second, the Legislature could amend the child custody statute to prohibit consideration of the parties' private moral beliefs and conduct unless there is evidence to suggest the legal relevance of such beliefs and conduct to the children's well-being.

2. Procedural Defects in Custody Cases

Many things that go wrong in custody cases also take place in other kinds of litigation. But the stakes are so important in this context that the problems deserve particular mention.

Hearings without notice. Several cases were reported in which one spouse managed to obtain a hearing before a judge -- who allowed the hearing to take place -- without notice to, or even an attempt to notify, the other spouse. In Hill v. Hill,[27] the husband snatched the couple's two children from his wife's home in Georgia, brought them to his parents' house in Alaska, and obtained an *ex parte* order here for temporary custody. The husband was in the army and had no assurance at that time that he would even be allowed to stay in Alaska; (he was stationed in Germany). The wife's address was known, and her mother lived in Anchorage, yet no attempt was made to contact the wife directly or through her mother. In another case, a husband obtained a court order to remove two children from the wife's custody, including a nursing baby. The wife knew nothing about the matter until contacted by the police to give up her children. Ultimately, two separate social workers found that the mother was more fit to raise the children than the father, and in fact recommended that he not be given visitation rights.[28]

Responsibility for these kinds of situations rests with the judiciary. Consideration should be given to declining jurisdiction in cases where one of the parties is absent, and the children are in the state only by virtue of a child snatching. Orders, even of a temporary nature, should rarely if ever be issued unless an attempt to contact the absent party has been made, and reasonable time and financial arrangements extended to the absent party to enable him or her to attend the hearing. Since, as a generalization, women are likely to have fewer economic means at their disposal, these safeguards are particularly important to protect their parental rights and insure that their children have a fair shake at a "best interests" custody adjudication.

Protracted hearings. Many custody cases go on for over six months, some for longer than a year. In the adultery case discussed at length above, one delay was occasioned by the judge's failure to disqualify himself at the outset, although the husband involved was a doctor and the judge his patient. In another case, still undecided, a motion to modify a custody decree was filed in early September, 1975. The case was submitted to a master (a kind of hearing officer) for testimony and findings since no superior court judges were available. The master's recommendations were appealed to the superior court, and three months were lost in printing the transcript of the master's hearing. Oral argument before the superior court judge was not held until late April of 1976; at the end of July, the judge recommitted the case to the master for new findings. The master's new findings were not issued until October, 1976. A motion to reject those findings was filed in November, and, again, a decision is presently awaited from the superior court judge. Even if the judge's next action consists of a final decision, the potential for appeal to the Alaska Supreme Court remains.[29] Such protracted litigation is harmful to all parties concerned.

The judiciary should seriously question the use of masters in such cases, where the jockeying of hearings and decisions between master and superior court consumes enormous amounts of time and money. Moreover, the judiciary and the Legislature should both adopt rules and practices giving precedence to child custody matters over other non-emergency litigation.

3. Child Snatching

Judges and legislators need to join forces to make changes regarding another part of the child custody battleground. An article in the Anchorage Times on September 19, 1976 reported that about 100,000 children across the nation are snatched by one parent from another every year. The problem exists in Alaska as elsewhere; according to Justice Erwin, almost every custody case the Alaska Supreme Court hears has a history of one or more adjudications in other jurisdictions.[30] Child snatchings may be involved in many of the courtroom switches.

Several of the women interviewed in this study reported child snatchings. In some cases the motive was simply to bring the child to the husband's place of residence, in others to avoid the effects of another state's custody decree and attempt to obtain a different judgment.

Unlike some jurisdictions, Alaska does make child stealing a crime.[31] However, the Anchorage District Attorney, at least, could not remember ever prosecuting such a case.[32] As long as the court system allows its offices to be used in cases it should never hear to begin with, child stealing will be encouraged in Alaska.

Ten states have adopted the Uniform Child Custody Jurisdiction Act.[33] The Act sets criteria for the assumption of jurisdiction in custody disputes, requiring that a child have some real connection with a state before its courts assume jurisdiction, providing that "unless required in the interest of the child", a court shall not exercise jurisdiction to modify a custody decree of another state if the petitioner has improperly removed the child from, or refused to return the child to, the custodial parent, and requiring that courts of one jurisdiction give full faith and credit to custody decrees of other jurisdictions. (Excerpts from text, Appendix IV - C.) The Legislature should study the effect of the Uniform law in those states which have adopted it. If the results are positive, applicable provisions of the law should be enacted as soon as possible.

D. Child Support

A September, 1975 survey conducted nationally by Market Opinion Research revealed that only 44 percent of divorced mothers were awarded child support, and only 47 percent of those were able to collect regularly.[34] Another report published in 1975 showed that while the husband's economic status generally improved after a divorce, the wife's deteriorated, probably, according to study authors, due to the wife's having custody of the children.[35] The International Women's Year Commission states that there is "no consistent relationship . . . between compliance with support orders and the income of the absent parent".[36]

In Alaska, child support orders are readily obtainable. But enforcement is another matter. As of October 15, 1976, there were 3,238 child support orders to be enforced in the Anchorage area alone.[37] As of that date, $4,340,000 was owed in Anchorage child support payments.[38] And it has been estimated that "less than 50 percent of the women in Alaska who are supposed to be receiving child support are actually receiving it";[39] the estimate comports with the national figures given above. Judge after judge interviewed or responding in writing to inquiries sent in the course of this study indicated that child support awards were often insufficient, and that the state's ability to enforce those awards had, at least until the present, been woefully inadequate.[40]

This amalgam of statistics suggests a need for improvement in the area of child support. In many cases, the obligated spouse's financial status will limit the amount of support that can reasonably be awarded. Improvement of the system, thus, is probably best focused on enforcement of awards that are granted.

At the present time, parents entitled to receipt of child support awards often cannot afford to prosecute delinquent spouses. A typical statement comes from a woman in Palmer:

> I was divorced in April 1971 and as of September 21, 1976, my ex-husband was $5,805.50 in arrearage in payments for our two children. . . . I need $250.00 to start proceedings to get this matter taken care of and I don't have that type of money for an attorney.[41]

Legal Services is not available to most persons entitled to child support payments, since they often do not meet the corporation's strict poverty guidelines, and since child support cases are considered "fee generating" and beyond the scope of Legal Services' mandate.[42] Yet a survey of Anchorage attorneys revealed that less than half of those in private practice who responded to the questionnaire would even take child support cases. For the rest, such cases were of no interest or were "too much trouble for too little money".[43]

Clearly, means other than the private Bar are required to meet the child support enforcement problems. Alaska has a new system to accomplish this job, but unless properly funded, it will serve the public no better than past enforcement arrangements. As one superior court judge said:

> On paper the procedures have always looked pretty good, but there has never been adequate personnel made available to the enforcement agencies, such as the court, to make a really meaningful effort to

> collect these funds for the children and the ex-wife. I suspect that the new procedure adopted by the last session of the Legislature is going to suffer from the same failing.[44]

To date, unfortunately, the judge's prediction seems all too accurate.

Effective July 1, 1976, a Child Support Enforcement Agency has been established in the Department of Health and Social Services. Legal services are to be provided by the Department of Law.[45] The agency intends to follow an automated procedure whereby failure to make payments will trigger computer "late" notices to the obligor, informal warnings, and ultimately court citations.[46] The new legislation has provisions recommended in the alimony section of this chapter: the court may order assignment of an obligor's wages,[47] and, according to the Assistant Attorney General working with the agency, the agency will have no right to forgive arrears (although the child's custodial parent will retain such right).[48] Remedies such as contempt and garnishment are also available. While contempt requires evidence of the obligor's ability to pay and the expense of a jury trial,[49] initial use of this weapon in cases where it is feasible may provide a sufficient deterrent effect to warrant the cost.

As of October 1, 1976, the Child Support Enforcement Agency began disbursing payments in the Third Judicial District. Unfortunately, as of mid-October, automated notices were not being sent because there was no clerk to mail them. Further, there was no "parent locator" on board, so that if the notices had been sent and come back "addressee unknown", there would have been no one to find the missing parent. At the moment, only those women (or men) who holler the loudest will receive any attention from the Child Support Enforcement Agency. According to Phillip Nash, Administrator of the agency, the problem lies in the Legislature's failure to budget for such basic needs as rent, and for eight essential staff positions to make the agency even minimally functional. Nash has had to bring in his own desk and chair in order to occupy the office donated him by the Court System.[50]

The recommendations in this section are obvious. First and foremost, the Child Support Enforcement Agency must be adequately funded if this approach is ever to be given a reasonable chance to succeed. Second, the available remedies must be vigorously pursued. Judges should consider routine assignments of wages upon motion of the agency or of a party; contempt proceedings should be used if necessary. And finally, the Legislature should consider adding a provision to the law to require the obligated spouse to pay reasonable attorney's fees in collecting litigation, whenever the fact of the debt has been established.

E. Attorneys' Response to Female Divorce Clients

A survey conducted by McCall's magazine elicited responses from more than 700 divorced or separated women, 28 percent of whom stated they were dissatisfied with their lawyers. The women claimed that insufficient time was spent on their cases; that lawyers intimidated their clients so they were afraid to ask questions; passed them around to different attorneys within a given firm; did not anticipate and provide for foreseeable contingencies; and, basically, did not demonstrate concern for their clients' situation.[51]

Close to one-third of the approximately 30 Alaskan women interviewed regarding their divorces in the course of this study indicated that they were similarly displeased with the treatment accorded them by their lawyers. It is not known whether lawyers of both sexes are frequently high-handed in their dealings with clients, male and female. This study only suggests that male lawyers counseling female clients in the Anchorage area may not always respect the intelligence and desires of their clients.

A few women complained that their attorneys failed to notify them of hearings, so that the women had no understanding of what was transpiring in their cases. One woman stated that she had specifically asked to review the property settlement documents before they were submitted to court; she was not given this opportunity and later determined that several vital items were omitted from the papers. The most common grievance, however, was the alleged failure by some attorneys to inquire into, or proceed according to, the wishes of their clients. Child support might be "agreed on" between opposing counsel, while the wife might actually have wanted to seek more. Or delaying tactics and litigation gamesmanship might be indulged in by counsel, when the wife actually desires as amicable and prompt a settlement as can be achieved. One angry woman wrote:

> I feel that the attorneys involved are only in the courtroom for a quote, "Perry Mason" effect and are not in the least

> concerned about the client or what the client may want. Especially, if it is a woman that is their client. Evidentally they feel that all women can be taken advantage of without her knowing what is going on. I beg to differ with this assumption.

When questioned, many of these women indicated that they would have preferred to talk to a female attorney. There is no evidence that female attorneys react any differently towards their clients than do male attorneys. But local Bar associations should consider taking steps to increase the accessibility to female attorneys for those who want one. At present, the Anchorage Bar Association's referral service simply provides three names to each caller, irrespective of sex. Since there are substantially fewer females in the Bar and signed up with the referral service, the chances of obtaining a woman attorney's name from the referral service is fairly small.

A question on the lawyers' survey (see Chapter V Appendix V - A) asked:

> "Would you support a requirement that the Bar Association referral service furnish at least two names of female lawyers along with two referrals of male lawyers in the event a client specifically requests a female attorney?"

Forty-five of 56 respondents (80 percent) answered "yes"; 11 said "No". There were a few strong comments adamently opposed to such "discrimination". The pros and cons are fairly clear: a woman who would feel more comfortable talking about divorce or rape or other personal matters with another woman should be able to obtain a referral to a woman attorney, not because of greater competence, but because of the client's emotional needs. On the other hand, discrimination justified for the sake of client comfort could arguably be extended to men preferring male attorneys in business dealings, or Natives preferring Native attorneys, Caucasions, Caucasion attorneys, and so on. The Bar Association should consider this question and present an ethics opinion on it. But whether access to female attorneys is increased or not, lawyers should examine their attitudes and approaches towards their clients. As the McCall's article concludes:

> [I]f a survey were to determine that more than a quarter of all women were dissatisfied with their department stores or banks, those organizations would do well to undertake serious self-examination. It may be time for divorce lawyers to do just that. In the meantime, it's up to divorcing women, hard as it may be, to pressure their attorneys, to keep asking: "What if . . . What if . . . What if . . ."[52]

RECOMMENDATIONS

THE LEGISLATURE SHOULD ADOPT LEGISLATION:

1. PROVIDING OBJECTIVE STANDARDS FOR AWARDING ALIMONY;

2. REQUIRING FULL DISCLOSURE OF ASSETS IN ALL CONTESTED DIVORCE CASES;

3. PROVIDING FOR COURT-ORDERED WAGE ASSIGNMENTS TO INSURE PAYMENT OF ALIMONY OBLIGATIONS;

4. LIMITING THE COURTS' JURISDICTION TO MODIFY CUSTODY DECISIONS FROM OTHER STATES AND TO HEAR CUSTODY CASES WHEN THE CHILD HAS NO SUBSTANTIAL CONNECTION WITH ALASKA;

5. GIVING PRIORITY ON COURT CALENDAR TO CUSTODY CASES.

THE LEGISLATURE SHOULD FUND THE CHILD SUPPORT ENFORCEMENT AGENCY AT A LEVEL SUFFICIENT TO ALLOW THE AGENCY TO FULFILL ITS RESPONSIBILITIES.

THE COURTS SHOULD

1. REFRAIN FROM MAKING MORAL JUDGMENTS IN CUSTODY CASES AND AWARD CUSTODY SOLELY ON THE GROUNDS OF THE CHILD'S BEST INTERESTS;

2. REQUIRE EVIDENCE OF MAXIMUM EFFORT TO LOCATE AND NOTIFY ABSENT PARENTS PRIOR TO ADJUDICATING CUSTODY ON A TEMPORARY OR PERMANENT BASIS;

3. EXPEDITE CUSTODY DISPUTES BY GIVING THEM PRIORITY ON COURT CALENDARS AND ABOLISHING THE USE OF MASTERS IN CUSTODY CASES;

4. INCLUDE ENFORCEMENT MECHANISMS, SUCH AS WAGE ASSIGNMENTS IF AVAILABLE, IN ALIMONY AND CHILD SUPPORT ORDERS AT THE TIME SUCH ORDERS ARE ISSUED.

THE ANCHORAGE BAR ASSOCIATION SHOULD EVALUATE THE PROPRIETY OF MODIFYING ITS REFERRAL SERVICE TO PROVIDE GREATER ACCESS TO FEMALE ATTORNEYS FOR CLIENTS EXPRESSLY REQUESTING A FEMALE REFERRAL.

APPENDIX IV - A

Excerpts from
the
Uniform Marriage and Divorce Act*
Disposition of Property and Maintenance Sections

Alternative A

[Section 307. [Disposition of Property.]

(a) In a proceeding for dissolution of a marriage, legal separation or disposition of property following a decree of dissolution of marriage or legal separation by a court which lacked personal jurisdiction over the absent spouse or lacked jurisdiction to dispose of the property, the court, without regard to marital misconduct, shall, and in a proceeding for legal separation may, finally equitably apportion between the parties the property and assets belonging to either or both however and whenever acquired, and whether the title thereto is in the name of the husband or wife or both. In making apportionment the court shall consider the duration of the marriage, any prior marriage of either party, any antenuptial agreement of the parties, the age, health, station, occupation, amount and sources of income, vocational skills, employability, estate, liabilities, and needs of each of the parties, custodial provisions, whether the apportionment is in lieu of or in addition to maintenance, and the opportunity of each for future acquisition of capital assets and income. The court shall also consider the contribution or dissipation of each party in the acquisition, preservation, depreciation, or appreciation in value of the respective estates, and as the contribution of a spouse as a homemaker or to the family unit.

(b) In the proceeding, the court may protect and promote the best interests of the children by setting aside a portion of the jointly and separately held estates of the parties in a separate fund or trust for the support, maintenance, education, and general welfare of any minor, dependent, or incompetent children of the parties.]

Alternative B

[Section 307. [Disposition of Property.] In a proceeding for dissolution of the marriage, legal separation, or disposition of property following a decree of dissolution of the marriage or legal dissolution by a court which lacked personal jurisdiction over the absent spouse or lacked jurisdiction to

* Drafted by the National Conference of Commissioners on Uniform State Law, 1973.

dispose of the property, the court shall assign each spouse's separate property to that spouse. It also shall divide community property, without regard to marital misconduct, in just proportions after considering all relevant factors including:

(1) contribution of each spouse to acquisition of the marital property, including contribution of a spouse as homemaker;
(2) value of the property set apart to each spouse;
(3) duration of the marriage; and
(4) economic circumstances of each spouse when the division of property is to become effective, including the desirability of awarding the family home or the right to live therein for a reasonable period to the spouse having custody of any children.]

Section 308. [Maintenance.]
(a) In a proceeding for dissolution of marriage, legal separation, or maintenance following a decree of dissolution of the marriage by a court which lacked personal jurisdiction over the absent spouse, the court may grant a maintenance order for either spouse, only if it finds that the spouse seeking maintenance:

(1) lacks sufficient property to provide for his reasonable needs; and
(2) is unable to support himself through appropriate employment or is the custodian of a child whose condition or circumstances make it appropriate that the custodian not be required to seek employment outside the home.

(b) The maintenance order shall be in amounts and for periods of time the court deems just, without regard to marital misconduct, and after considering all relevant factors including:

(1) the financial resources of the party seeking maintenance, including marital property apportioned to him, his ability to meet his needs independently, and the extent to which a provision for support of a child living with the party includes a sum for that party as custodian;
(2) the time necessary to acquire sufficient education or training to enable the party seeking maintenance to find appropriate employment;
(3) the standard of living established during the marriage;
(4) the duration of the marriage;
(5) the age and the physical and emotional condition of the spouse seeking maintenance; and
(6) the ability of the spouse from whom maintenance is sought to meet his needs while meeting those of the spouse seeking maintenance.

APPENDIX IV - B

Compulsory Financial Disclosure
Section of New York Domestic
Relations Law

§250. Compulsory financial disclosure

In all matrimonial actions and proceedings commenced on or after September first, nineteen hundred seventy-five in supreme court in which alimony or support is in issue and all support proceedings in family court, there shall be compulsory disclosure by both parties of their respective financial states. No showing of special circumstances shall be required before such disclosure is ordered. A sworn statement of net worth shall be filed by each party, prior to trial, in the court in which the procedure is pending. It shall include all income and assets of whatsoever kind and nature and wherever situated and shall include a list of all assets transferred in any manner during the preceding three years, or the length of the marriage, whichever is shorter; provided, however that transfers in the routine course of business which resulted in an exchange of assets of substantially equivalent value need not be specifically disclosed where such assets are otherwise identified in the statement of net worth. Noncompliance shall be punishable by any or all of the penalties prescribed in section thirty-one hundred twenty-six of the civil practice law and rules, in examination before or during trial.

APPENDIX IV - C

Excerpts from
the
Uniform Child Custody Jurisdiction Act*
Jurisdictional Sections

Section 3. [Jurisdiction.]

(a) A court of this State which is competent to decide child custody matters has jurisdiction to make a child custody determination by initial or modification decree if:

(1) this State (i) is the home state of the child at the time of commencement of the proceeding, or (ii) had been the child's home state within 6 months before commencement of the proceeding and the child is absent from this State because of his removal or retention by a person claiming his custody or for other reasons, and a parent or person acting as parent continues to live in this State; or

(2) it is in the best interest of the child that a court of this State assume jurisdiction because (i) the child and his parents, or the child and at least one contestant, have a significant connection with this State, and (ii) there is available in this State substantial evidence concerning the child's present or future care, protection, training, and personal relationships; or

(3) the child is physically present in this State and (i) the child has been abandoned or (ii) it is necessary in an emergency to protect the child because he has been subjected to or threatened with mistreatment or abuse or is otherwise neglected [or dependent]; or

(4) (i) it appears that no other state would have jurisdiction under prerequisites substantially in accordance with paragraphs (1), (2), or (3), or another state has declined to exercise jurisdiction on the ground that this State is the more appropriate forum to determine the custody of the child, and (ii) it is in the best interest of the child that this court assume jurisdiction.

(b) Except under paragraphs (3) and (4) of subsection (a), physical presence in this State of the child, or of the child and one of the contestants, is not alone sufficient to confer jurisdiction on a court of this State to make a child custody determination.

(c) Physical presence of the child, while desirable, is not a prerequisite for jurisdiction to determine his custody.

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* Drafted by the National Conference of Commissioners on Uniform State Laws, 1968.

Section 6. [Simultaneous Proceedings in Other States.]

(a) A court of this State shall not exercise its jurisdiction under this Act if at the time of filing the petition a proceeding concerning the custody of the child was pending in a court of another state exercising jurisdiction substantially in conformity with this Act, unless the proceeding is stayed by the court of the other state because this State is a more appropriate forum or for other reasons.

(b) Before hearing the petition in a custody proceeding the court shall examine the pleadings and other information supplied by the parties under section 9 and shall consult the child custody registry established under section 16 concerning the pendency of proceedings with respect to the child in other states. If the court has reason to believe that proceedings may be pending in another state it shall direct an inquiry to the state court administrator or other appropriate official of the other state.

(c) If the court is informed during the course of the proceeding that a proceeding concerning the custody of the child was pending in another state before the court assumed jurisdiction it shall stay the proceeding and communicate with the court in which the other proceeding is pending to the end that the issue may be litigated in the more appropriate forum and that information be exchanged in accordance with sections 19 through 22. If a court of this state has made a custody decree before being informed of a pending proceeding in a court of another state it shall immediately inform that court of the fact. If the court is informed that a proceeding was commenced in another state after it assumed jurisdiction it shall likewise inform the other court to the end that the issues may be litigated in the more appropriate forum.

Section 7. [Inconvenient Forum.]

(a) A court which has jurisdiction under this Act to make an initial or modification decree may decline to exercise its jurisdiction any time before making a decree if it finds that it is an inconvenient forum to make a custody determination under the circumstances of the case and that a court of another state is a more appropriate forum.

(b) A finding of inconvenient forum may be made upon the court's own motion or upon motion of a party or a guardian ad litem or other representative of the child.

(c) In determining if it is an inconvenient form, the court shall consider if it is in the interest of the child that another state assume jurisdiction. For this purpose it may take into account the following factors, among others:

(1) if another state is or recently was the child's home state;
(2) if another state has a closer connection with the child and his family or with the child and one or more of the contestants;
(3) if substantial evidence concerning the child's present or future care, protection, training, and personal relationships is more readily available in another state;
(4) if the parties have agreed on another forum which is no less appropriate; and
(5) if the exercise of jurisdiction by a court of this state would contravene any of the purposes stated in section 1.

(d) Before determining whether to decline or retain jurisdiction the court may communicate with a court of another state and exchange information pertinent to the assumption of jurisdiction by either court with a view to assuring that jurisdiction will be exercised by the more appropriate court and that a forum will be available to the parties.

(e) If the court finds that it is an inconvenient forum and that a court of another state is a more appropriate forum, it may dismiss the proceedings, or it may stay the proceedings upon condition that a custody proceeding be promptly commenced in another named state or upon any other conditions which may be just and proper, including the condition that a moving party stipulate his consent and submission to the jurisdiction of the other forum.

(f) The court may decline to exercise its jurisdiction under this Act if a custody determination is incidental to an action for divorce or another proceeding while retaining jurisdiction over the divorce or other proceeding.

(g) If it appears to the court that it is clearly an inappropriate forum it may require the party who commenced the proceedings to pay, in addition to the costs of the proceedings in this State, necessary travel and other expenses, including attorneys' fees, incurred by other parties or their witnesses. Payment is to be made to the clerk of the court for remittance to the proper party.

(h) Upon dismissal or stay of proceedings under this section the court shall inform the court found to be the more appropriate forum of this fact, of if the court which would have jurisdiction in the other state is not certainly known, shall transmit the information to the court administrator or other appropriate official for forwarding to the appropriate court.

(i) Any communication received from another state informing this State of a finding of inconvenient forum because a court of this State is the more appropriate forum shall be filed in the custody registry of the appropriate court. Upon assuming jurisdiction the court of this State shall inform the original court of this fact.

Section 8. [Jurisdiction Detlined by Reason of Conduct.]
(a) If the petitioner for an initial decree has wrongfully taken the child from another state or has engaged in similar reprehensible conduct the court may decline to exercise jurisdiction if this is just and proper under the circumstances.

(b) Unless required in the interest of child, the court shall not exercise its jurisdiction to modify a custody decree of another state if the petitioner, without consent of the person entitled to custody, has improperly removed the child from the physical custody of the person entitled to custody or has improperly retained the child after a visit or other temporary relinquishment of physical custody. If the petitioner has violated any other provision of a custody decree of another state the court may decline to exercise its jurisdiction if this is just and proper under the circumstances.

(c) In appropriate cases a court dismissing a petition under this section may charge the petitioner with necessary travel and other expenses, including attorneys' fees, incurred by other parties or their witness.

Section 13. [Recognition of Out-of-State Custody Decrees.]
The courts of this State shall recognize and enforce an initial or modification decree of a court of another state which had assumed jurisdiction under statutory provisions substantially in accordance with this Act or which was made under factual circumstances meeting the jurisdictional standards of the Act, so long as this decree has not been modified in accordance with jurisdictional standards substantially similar to those of this Act.

Section 14. [Modification of Custody Decree of Another State.]
(a) If a court of another state has made a custody decree, a court of this State shall not modify that decree unless (1) it appears to the court of this State that the court which rendered the decree does not now have jurisdiction under jurisdictional prerequisites substantially in accordance with this Act or has declined to assume jurisdiction to modify the decree and (2) the court of this State has jurisdiction.

(b) If a court of this State is authorized under subsection (a) and section 8 to modify a custody decree of another state it shall give due consideration to the transcript of the record and other documents of all previous proceedings submitted to it in accordance with section 22.

Section 15. [Filing and Enforcement of Custody Decree of Another State.]

(a) A certified copy of a custody decree of another state may be filed in the office of the clerk of any [District Court, Family Court] of this State. The clerk shall treat the decree in the same manner as a custody decree of the [District Court, Family Court] of this State. A custody decree so filed has the same effect and shall be enforced in like manner as a custody decree rendered by a court of this State.

(b) A person violating a custody decree of another state which makes it necessary to enforce the decree in this State may be required to pay necessary travel and other expenses, including attorneys' fees, incurred by the party entitled to the custody or his witnesses.

FOOTNOTES - DIVORCE

1. ". . . To Form a More Perfect Union. . .": Justice for American Women; Report of the National Commission on the Observance of International Women's Year, 1976, p. 338.

2. 1976 Juvenile Justice and Delinquency Prevention Comprehensive Plan Supplement for the State of Alaska; Criminal Justice Planning Agency, p.14, citing Mental Health Plan.

3. 1974 Vital Statistics; Provisional Figures, Health Information System Section; Division of Public Health, Department of Health and Social Services; Alaska, 1976.

4. ". . . To Form a More Perfect Union. . .", supra note 1, at 16.

5. E.g., Interviews with Justice Robert Erwin (October 5, 1976) and Judge Seaborn Buckalew (October 7, 1976), and letters to Katz from Judge C. J. Occhipinti (September 21, 1976) and Judge Victor D. Carlson (September 28, 1976).

6. Sandra Saville "The Legal Status of the Homemaker in Alaska", paper prepared for Center for Women Policy Studies in conjunction with National Commission on Observance of International Women's Year, August 1976, p. 2.

7. AS 9.55.234(a)(2).

8. Tish Sommers, "The Compounding Impact of Age on Sex", Civil Rights Digest, Fall 1974, p. 5.

9. Groff v. Groff, 408 P.2d 998, 1001 (Alaska 1965).

10. "Recognition of Economic Contribution of Homemakers and Protection of Children in Divorce Law and Practice", Citizens' Advisory Council on the Status of Women, CACSW Item 40-N Revised March 1975, p. 7.

11. Id. at 1.

12. ". . . To Form a More Perfect Union. . .", supra note 1, at 228.

13. National Conference of Commissioners on Uniform State Laws, Uniform Marriage and Divorce Act (1970 version and 1973 version). See, 9 Uniform Laws Annotated (West Publishing Company 1973), pp. 460-516.

14. *See*, AS 9.55.200.

15. Conversation with Robert Flint, December 2, 1976.

16. " . . . *To Form a More Perfect Union*. . .", *supra* note 1, at 230.

17. AS 47.23.070; AS 9.55.210(2).

18. [illegible]orm Marriage and Divorce Act, *supra* note 13, at [illegible]ion 316.

19. AS 9.55.234(f).

20. AS 9.55.210(6).

21. Interview with Justice Robert Erwin, October 5, 1976.

22. 477 P.2d 356 (Alaska 1970).

23. *Id*. at 357.

24. Case No. 73-3287, Third Judicial District, transcript of December 27, 1973 hearing, p. 4.

25. *Id*., transcript of November 14, hearing, pp. 10-11.

26. *Id*., Decision, December 6, 1974, pp. 2-3.

27. Case No. 76-6773, Third Judicial District, filed August 31, 1976.

28. Case No. 74-2326, Third Judicial District, July 21, 1976; and interview with Michael Giesler, social worker assigned to the case, October 11, 1976.

29. Case No. 74-132, Third Judicial District.

30. Interview with Justice Robert Erwin, *supra* note 5.

31. AS 11.15.290.

32. Interview with Joseph Balfe, October 15, 1976.

33. *See*, 9 Uniform Laws Annotated (West Publishing Company 1973) pp. 103-131.

34. Cited in ". . . To Form a More Perfect Union. . .", supra note 1, at 16.

35. "Five Thousand American Families", Survey Research Center of the University of Michigan, cited in " . . . To Form a More Perfect Union. . ." supra note 1, at 223.

36. Id. at 234.

37. Interview with Phillip Nash, Administrator, Child Support Enforcement Agency, October 15, 1976.

38. Id.

39. Saville, supra note 6, at 18.

40. E.g., letters to Katz from Roy H. Madsen (September 21, 1976); Thomas E. Schultz (September 21, 1976); James A. Hansen (September 27, 1976).

41. Letter to Katz from E. A., Palmer Alaska, October 1, 1976.

42. Interview with Legal Services attorney, Karla Forsythe, September 30, 1976.

43. Lawyers' survey conducted in connection with this study; see, Chapter V, Appendix V - 1.

44. Letter to Katz from Judge Thomas E. Schultz (September 21, 1976).

45. See, 47.23.010, et. seq. (Ch. 251 Session Laws 1976).

46. Telephone conversation with Bruce Tennant, attorney assigned to the Child Support Enforcement Agency, September 6, 1976.

47. AS 47.23.070.

48. Tennant, supra note 44.

49. Johansen v. State, 491 P.2d 759 (Alaska 1971).

50. Interview with Phillip Nash, Administrator, Child Support Enforcement Agency, October 15, 1976.

51. Vivian Cadden, "The Case Against Divorce Lawyers", McCall's, November 1976, p. 169.

52. Id. at 250.

THE LEGAL PROFESSIONALS

FACTS

THERE ARE 82 FEMALE ATTORNEYS IN ALASKA, 8.8 PERCENT OF THE BAR MEMBERSHIP.

JOB OPPORTUNITIES ARE AVAILABLE FOR FEMALE ATTORNEYS, BUT DISCRIMINATION ON THE BASIS OF "MOTHERHOOD" DOES OCCUR.

WOMEN ATTORNEYS SEE PROPORTIONATELY MORE FEMALE CLIENTS THAN DO MALE ATTORNEYS.

TWO OF 40 JUDICIAL POSITIONS IN THE STATE, BOTH AT THE LOWEST, DISTRICT COURT LEVEL, ARE FILLED BY FEMALE ATTORNEYS.

APPLICANTS FOR THE JUDICIARY ARE REQUIRED TO DISCLOSE INFORMATION REGARDING THEIR MARITAL AND PARENTAL STATUS, AND ARE ASKED PERSONAL QUESTIONS BEARING NO RELATION TO THEIR POTENTIAL COMPETENCE AS JUDGES.

THERE HAS NEVER BEEN A FEMALE MEMBER OF THE ALASKA JUDICIAL COUNCIL.

FORTY-ONE PERCENT OF THE WOMEN ATTORNEYS RESPONDING TO A SURVEY QUESTION ON JUDICIAL SEX DISCRIMINATION BELIEVE THEY HAVE BEEN SUBJECT TO SUCH DISCRIMINATION BY ONE OR MORE JUDGES IN THE PAST FIVE YEARS.

ISSUES

SHOULD THE APPLICATION FORM AND INTERVIEW FORMAT OF THE ALASKA JUDICIAL COUNCIL BE ALTERED TO ELIMINATE PERSONAL QUESTIONS WHICH ARE IRRELEVANT AND VIOLATIVE OF ALASKA STATUTE?

SHOULD THE ENTIRE PROCESS OF SELECTING JUDGES IN ALASKA BE REVIEWED FOR POSSIBLE CHANGE?

CHAPTER V - THE LEGAL PROFESSIONALS

Of all the areas studied for this report, it was most difficult to ascertain the status of women among the legal professionals. Discrimination against female lawyers and judges tends to be more subtle than against women clients or offenders. In some instances it is difficult to know if differences perceived between the sexes in terms of work practices, for example, are self-imposed or enforced by employers. In general, Alaska appears to offer female lawyers the opportunity to practice law in roughly the same fashion as men; some differences are noted, however, The situation for female judges is bleaker; concrete recommendations for change are made in connection with this portion of the analysis.

A. The Female Attorney

As of 1973, women constituted approximately 3.5 percent of all lawyers in the nation.[1] Recent law school graduates indicate that the female contingent is rapidly growing. And in Alaska, out of 931 members of the Bar, 82 or 8.8 percent, are women.[2]

To determine how Alaska's female attorneys view professional life in this State, a confidential questionnaire was sent to every woman admitted to the Bar as of the summer of 1976 (except the author), and to an equal number of male attorneys randomly selected. (See Appendix V - A.) One hundred and thirty-four questionnaires were sent. At the time the results were tabulated, 69 responses had been received; 43 of those from women, 26 from men. The sample is small, and no computer was used to analyze the information. The data presented here is useful, therefore, only in painting the most general picture of average female attorney's professional experience in Alaska.

1. Employment and Pay

For the most part, the objective data provided no evidence of sex discrimination in either hiring practices or salaries paid. But more subjectively, fully half of the women responding to the questionnaire indicated that they had "certainly" "almost certainly" or "probably" been the object of sex discrimination by an employer or potential employer in the last five years. Three out of the 24 men responding to this question also felt they had been discriminated against.

Such sexism was sometimes expressed in the form of employers' concern for women's parenting responsibilities. One woman told of an interview for a position in a corporate legal structure, where the attorney in charge stressed the job's travel requirements and stated that he would not tolerate complaints about inability to make child care arrangements on short notice. While the comments would have been inappropriate under any circumstances,[3] they were particularly offensive in this instance: the woman was unmarried and had no children. Another woman in the top quarter of her class who submitted numerous job applications after completing a judicial clerkship, stated that the private Bar discriminates "against married childless, but childbearing age women who expect to have children. . . ." Alaska's human rights law precludes such use of parenthood as an employment barrier.[4]

In addition, one salary comparison -- that between women and men attorneys presently holding government jobs -- produced surprising results. Fourteen women furnished salary figures ranging from $19,200 to $37,000, averaging $29,161. Seven of those 14 had salaries of $30,000 or above. Five government salaries were furnished by men. The lowest salary (by a $9,000 margin) was $26,000, the highest $50,000, the average $37,400 -- $8,239 higher than the female average. No significant difference in legal experience was found between the male and female samples. While women, often recent graduates, are not being paid poorly at salaries close to $30,000, the results of this comparison merit consideration by government agencies. A larger sample might have closed the gap between the sexes, but a self-examination by government employers to uncover any possible bias in placement is warranted.

2. Nature of Practice

The survey data did suggest a few differences between the sexes in the type of legal practice pursued. Women, for example, were far more likely to work for government than were men; and men, conversely, were far more likely to be engaged in private practice than were women. Moreover, of those in private practice, men were more likely to be sole practitioners than were women. (Percentages presented in Appendix V - B.) This information is generally consistent with the results from a 1965 study of male and female lawyers,[5] suggesting that employment patterns have not changed much in the last ten years. (See Appendix V - B.)

In addition, in the substantive areas of law, women handle a proportionate amount of the work only in their "traditional" areas of expertise: tax law and trusts. But considerable numbers of female attorneys are also representing clients in regard to corporate matters, real estate, domestic relations and personal injury cases. Women seem to litigate as much as men; they seem to share the research burden equally. And neither sex has a monopoly on the pursuit of public interest cases.

While male and female respondents in the current study indicated roughly comparable amounts of client contact overall, the statistics showed that women see proportionately more female clients than do male attorneys. No man reported more than 50 percent of his clientele as female; one-quarter of the women did so indicate. Half of the men reported that less than 25 percent of their clientele was female; one-quarter of the women reported the same. Speculation allows for various explanations of this difference. It may be that the need of some women to talk to another woman is being recognized. Or, it could be that male clients, for example from the business world, are being diverted from female attorneys. It would be helpful if the Bar Association attempted to learn the extent and basis of this distinction.

3. Family Responsibilities

While the Legislature, courts, and Bar Association are in no position to dictate specific divisions of family responsibilities, it did not seem possible to examine the status of women attorneys without looking at how they juggle home and office obligations. The survey produced the following generalizations: Male attorneys do less of the child care, housework and food preparation than do their wives; they tend to have greater responsibility for household accounts and financial support of the family than their wives; and they usually share social responsibilities and community activities equally with their wives. Female attorneys, by contrast, carry more of the burden for child care and food preparation; they at least share and sometimes do more of the housework than their partners; they either share equally or less in the financial support of their family; and they have equal or greater responsibility for the management of household accounts, social and community activities.

The demands on the woman lawyer (and maybe other women professionals) appear to be more substantial than for their male counterparts. While approximately 45 percent of the married male attorneys have wives who do not work, it is still untenable for female attorneys who do work to shoulder the

the major portions of family responsibilities in their households. One respondent, evincing naivete' that would make any male chauvinist chortle in delight, rationalized her situation as follows:

> I also feel that it is unfair to expect one spouse to do all the housework. In my case, my husband doesn't help -- not because we feel it is 'women's' work but because he is inept at cooking or cleaning.

Considerable effort was doubtlessly expended to maintain such ineptitude.

Alaska's men must stop asking their wives to be superwomen -- and Alaska's wives must stop allowing themselves to be placed in this position. Unless home and work responsibilities are shared more equally in families with working wives and mothers, serious conflicts may arise for these women. (See "Women's Roles" in the Mental Health section of this study.)

B. Judges

Alaska has 40 judicial positions including the Supreme Court, the Superior Court and the District Court; two of these positions, both at the lowest, District Court level, are filled by women. The Court system further employs 44 magistrates who do not have to be lawyers; 10 of these positions are full-time.[6] Eighteen of the magistrates are women including five out of the ten holding full-time jobs.[7]

The figures speak for themselves. In absolute terms, as well as relative to the number of female litigants in the system, women are under-represented on the Bench. They fare much better in the lower prestige position of magistrate.

1. Applications/Appointments to Judgeships

The process of selecting a new judge is initiated by written notice of a judicial vacancy sent to all members of the Alaska Bar Association. Interested attorneys then submit applications, and applicants are interviewed by the Judicial Council, a body composed of three lawyers appointed by the Bar Association and three lay persons appointed by the Governor. The Chief Justice sits as an ex officio member of the Council. Council members have always been male.

Independent of the Council's operations, the Bar Association conducts a poll to elicit lawyers' views on the qualifications of individual applicants. The Council nominates at least two of the applicants to the Governor who appoints the new judge. After a period of years, judges go before the electorate to retain their positions.[8]

Available statistics are too sparse to offer insight into actual discrimination against female applicants in the past. The potential for discrimination, however, is inherent in the existing selection process. The application, to begin with, contains the following questions:

> 5. (a) State whether you are married, single, widowed, divorced or separated _______
>
> (b) If you are married, give the date of marriage and full name of spouse _____
> ____________________________________
>
> (c) State names, ages, addresses and occupations of children ___________________
> ____________________________________

These questions are probably illegal. AS 18.80.220 provides that "It is unlawful for

> . . .
>
> (3) an employer or employment agency to print or circulate or cause to be printed or circulated a statement, advertisement, or publication, or *to use a form of application for employment* or to make an inquiry in connection with prospective employment, *which expresses, directly or indirectly, a limitation, specification or discrimination as to sex, marital status, changes in marital status, pregnancy, parenthood,* age, race, creed color or national origin, or an intent to make the limitation, unless based upon a bona fide occupational qualification; (Emphasis added.)

Considerable damage could be caused by questions relating to marital status and parenthood. Members of the Council who might personally oppose the concept of full-time work for a mother of young children, for example, could be influenced by the presentation of information called for in the application. Since these inquiries allow for, and indeed invite sex discrimination, and since they are not relevant to an applicant's potential competence as a judge, the Council should immediately remove them from the application.

After filling out the form, the applicant next meets with the Council itself. Reports from applicants indicate that questions asked probe deeply into the applicant's personal life. In the case of one man, married to a prominent female attorney, the Council inquired as to why the wife practiced under her maiden name; the wife herself was asked to appear before the Council. The implication throughout was that the candidate must be less of a man to have so outspoken a wife over whom he exerted no control; it was apparently feared that she would dictate his decisions. A female applicant for the Supreme Court was treated more courteously by the Council, but was asked if she were a "women's libber" and if she would be comfortable working with four men. Presumably she would not have applied if that prospect had discomforted her.

Changes need to be made in Council membership, procedures and possibly in the whole approach to selecting judges. First, it is hard to conceive of a woman member tolerating the blatant sexism, harmful to male as well as female applicants, exhibited on occasion in past Council meetings. The next vacancy that occurs on the Council should be filled by a woman, assuming a well-qualified individual applies. In the lawyers' survey conducted for this study, 44 percent of the women responding indicated an interest in a seat on the Council. There is, thus, good reason to believe that qualified women are available.

Second, Council procedures should be altered immediately by revamping the kinds of questions asked at the interview to comply with Title 18.

And third, the Legislature should consider if the entire process is too political as presently structured, and if other means of selecting judges should be adopted by way of constitutional and statutory amendments. In considering broad reforms, the use of the Bar poll should also be evaluated, since it may amount to little more than a popularity survey which could be perpetuating sexist (and other) biases. In this connection, Judge Occhipinti has referred to an "attitude by members of the bar" as one of the reasons for the shortage of women judges.[9]

Finally, women must take responsibility themselves for their absence from the Bench. Judge Carlson writes:

> [M]any women do not apply for judicial positions, apparently because they feel that they would be at a disadvantage or otherwise consider such jobs less desirable than others which are available to them. I have actively encouraged several female

> lawyers to apply and have been disappointed that persons of their ability have refrained from submitting their names to the Judicial Council.[10]

Unless they attempt to obtain judicial positions, women cannot be heard to complain of exclusion.

2. Women as Magistrates

As the statistics cited at the outset of this section indicate, for magistrates, the picture is quite different. Letters from women in this position testify to the lack of discrimination experienced,[11] although one magistrate recognizes that a probable reason for the significant female representation is the small salary "(about $6,000 a year)" paid for the position in many of the rural areas.[12]

Personal attitudes of the judges who hire magistrates, however, can still interfere with complete impartiality. One judge wrote that of two qualified applicants for a standing master position with the Court System, he felt compelled to choose the man. He said:

> In many ways I would have preferred to hire the woman because she had diligently performed her assigned duties as master and had demonstrated an aptitude for Family Court matters. However, since she appeared reasonably happy in her private employment, and there appeared no happy outcome of the male applicant's employment arrangements if he were not hired, I selected the man, who also was highly qualified for the position.[13]

The man in this case was married and "well-settled" in the community; he had an offer in another part of Alaska, but the judge did not want to disrupt his family life. If the female was objectively "preferred", it must be asked whether the public was best served by selection of the male. As noted previously, considerations of marital status have no lawful place in employment situations.

3. Judicial Treatment of Female Litigants and Attorneys

The preliminary nature of this study did not permit the kind of random survey of litigants necessary to ascertain the nature and extent of any sex discrimination affecting judicial decision-making. Several judges indicated, however, that they are more lenient towards women litigants. Judge Carlson made this point in connection with domestic cases,[14] a topic discussed in Chapter IV - Divorce. Judge Schulz referred to criminal cases, stating:

> [W]omen who appear in my court as defendants probably get a better shake than their male counterparts, particularly in property offenses. I'm not at all sure that that carries over into offenses against the person, but I suspect that it does.[15]

He speculates: "Maybe the women come up with better reasons for what they do."[16]

To the extent women are so favored, male litigants are unfairly disadvantaged. However, one attorney questions whether the discrimination actually benefits the females involved. She notes that over-protection can be more debilitating than treatment which makes a woman accountable for her own life and actions.[17] And there are cases suggesting that judges simply do not accord women the respect to which they are entitled. One female litigant, a professor at the University with a doctorate degree, found the judge continually prefacing her name with "Mrs.", while addressing the male professionals in the courtroom as "Dr.", although not all of them possessed a Ph.D.[18] The seeming superficiality of this discrimination does not negate the effect it may have on a female litigant's confidence in herself and her ability to obtain a fair trial.

With rare exceptions, judges responding to letters sent in connection with this study reported that the women appearing before them as lawyers have, on the average, been as competent, or more so, than their male counterparts.[19] The judges did not discern any sexism from the Bench. A substantial number of women attorneys themselves, however, are convinced that judges have discriminated against them because of their sex. Of thirty-four women responding to a question about judicial sex bias, fourteen, or 41 percent said they believed they had been the object of such treatment in the past five years. Four of those women believed the discrimination had adversely affected their clients; one was not sure. Only two of 23 men answering this question related such discrimination. While this was clearly a subjective inquiry, the large percent of positive responses suggests that a problem does exist.

In addition, almost every women attorney has anecdotes to tell revealing sexist attitudes on the part of male judges. One lawyer recalls that on her first appearance before a particular judge, she was representing a prostitute. The judge assumed, without asking, that the lawyer was the defendant.[20] Another attorney reports that on two separate occasions, a judge addressed several lawyers in the courtroom where she was present as counsel by the designation "gentlemen". Her presence was totally ignored.

As humorous and inconsequential as these incidents might appear to be, it seems that members of the judiciary should make a conscious effort to examine themselves for anachronistic conditioning or outright prejudice. The integrity of their decision-making process might be at stake; at the very least, they may be insulting women who would like to believe themselves equal in the halls of justice.

RECOMMENDATIONS

THE JUDICIAL COUNCIL SHOULD:

1. IMMEDIATELY REVISE ITS JUDICIAL APPLICATION FORM TO ELIMINATE QUESTIONS PERTAINING TO MARITAL AND PARENTAL STATUS;
2. REFRAIN FROM ASKING PERSONAL QUESTIONS WHICH DO NOT BEAR ON AN APPLICANT'S POTENTIAL COMPETENCE AS A JUDGE; AND
3. REVIEW THE FORM, USE AND DESIRABILITY OF THE BAR POLL IN THE JUDICIAL SELECTION PROCESS.

THE ALASKA BAR ASSOCIATION AND THE GOVERNOR SHOULD APPOINT QUALIFIED WOMEN TO POSITIONS ON THE JUDICIAL COUNCIL WHEN VACANCIES NEXT OCCUR.

EMPLOYERS, INCLUDING GOVERNMENT AGENCIES, SHOULD REVIEW THEIR HIRING PRACTICES AND WORK ASSIGNMENTS TO INSURE AGAINST SEX DISCRIMINATION, EXPLICIT OR IMPLICIT.

JUDGES SHOULD EVALUATE THEIR TREATMENT OF FEMALE LITIGANTS AND ATTORNEYS TO UNCOVER ANY BIASES PRODUCING UNJUSTIFIED LENIENCY OR NEGATIVE DISCRIMINATION.

FEMALE ATTORNEYS SHOULD:

1. IF QUALIFIED AND INTERESTED, APPLY FOR AVAILABLE JUDGESHIPS AND JUDICIAL COUNCIL POSITIONS; AND
2. INSIST THAT THOSE WHO SHARE THEIR HOUSEHOLD ALSO SHARE THE DOMESTIC RESPONSIBILITIES.

APPENDIX V - A

SURVEY: ALASKA LAWYERS

A. Educational Background

1. Law School: ____

2. Year Graduated: _______ 3. Age at Graduation: ____

4. Approximate class rank in law school graduating class:

   [ ] Upper 10%
   [ ] Upper quarter but below upper 10%
   [ ] Second quarter
   [ ] Third quarter
   [ ] Fourth quarter

5. Honors attained: ____________________________________

   ____

7. Reasons for attending law school: (Indicate importance of reasons by ranking 1, 2, 3, etc.)

   Potential political future: __________________________
   Desire to help society: __________________________
   Intellectual challenge: __________________________
   Interesting field to know: __________________________
   Prestigious position: __________________________
   Financial gain: __________________________
   Other: (specify) __________________________

B. Job Hunt

1. Approximately how many of each of the following types of prospective employers in Alaska did you interview or write to when you were seeking your first permanent job after law school? (Include those you contacted while still in school. Place number contacted next to type of employer.)

   Law firms of 15 or more lawyers _____; 10-15 _________; 5-10 ______; 4 or under ______; federal government agencies _______; state agencies _______; local government agencies _______; judges _______; commercial corporations _______; non-profit corporations ________; banks and trust companies _______; other (describe) ____.

2. Identify below the sources of all offers of employment in Alaska which you received when you were seeking your first permanent job after law school. (Include all offers you received while you were in law school. Place number of offers next to employer making offer.)

   Law firms of 15 or more lawyers _______; 10-15 ______; 5-10 _______; 4 or under _______; federal government agencies _______; state agencies _______; local government agencies _______; judges _______; commercial corporations _______; non-profit corporations _______; banks and trust companies _______; other (describe) ____.

3. In the past 5 years, approximately how many of each of the following types of prospective employers in Alaska did you interview or write to when you were seeking a permanent job subsequent to your first such employment following law school? (Place number contacted next to type of employer.)

   [ ] Not applicable

   Law firms of 15 or more lawyers _______; 10-15 ______; 5-10 _______; 4 or under _______; federal government agencies _______; state agencies _______; local government agencies _______; judges _______; commercial corporations _______; non-profit corporations _______; banks and trust companies _______; other (describe) ____.

4. Identify below the sources of all offers of employment in Alaska which you received when you were seeking a permanent job subsequent to your first such employment following law school. (Place number of offers next to employer making offer.)

   [ ] Not applicable

   Law firms of 15 or more lawyers _______; 10-15 _______; 5-10 _______; 4 or under _______; federal government agencies _______; state agencies _______; local government agencies _______; judges _______; commercial corporations _______; non-profit corporations _______; banks and trust companies _______; other (describe) ____.

5. In the order in which you held them, please list each of the non-temporary jobs and activities which you have held since graduation from law school. (Use extra sheet if necessary.)

	Type Job	Type Employer	Type Work	From-To	Full - Part time	Salary Start-End	Reason for Leaving
Sample	Assoc. in law firm	Private firm-21	General Practice	9/60-10/62	Full ------		Slow Advancement
Sample	Housewife	---	---	10/62-11/68			---

1. If not in legal area, why not?

☐ Did not want a job in law.
☐ Could not get a job in law.
☐ Could not get the law job desired.
☐ Found other work more remunerative.
☐ Ceased practice to get married.
☐ Ceased practice to care for new baby.
☐ Ceased practice to devote more time to family.
☐ Other (specify) ______________________________

2. If you are not presently practicing, do you plan to practice again sometime in the future? ☐ Yes ☐ No

3. If you are presently in practice (or have been within the last year) with a private firm or as a counsel employed by a corporation, association, union, litigating government agency, bank or trust company, please answer the following questions:

(a) How frequently do you meet with and counsel clients?

☐ less than one client a week
☐ 1-5 clients a week
☐ 5-10
☐ 10-15
☐ 15-20
☐ 20-25
☐ more than 25

(b) What percentage of these clients are women?

- ☐ less than 25%
- ☐ 25-50%
- ☐ approximately 50%
- ☐ 50-75%
- ☐ more than 75%

(c) In which of the following areas do you perform considerable work?

- ☐ trusts, estate and probate
- ☐ labor
- ☐ tax
- ☐ corporate
- ☐ real estate
- ☐ criminal
- ☐ domestic relations
- ☐ other (specify) ____________________

(d) What % of your time do you spend in: (total need not = 100%)

- ☐ Litigation _____%
- ☐ Research for yourself _____%
- ☐ Research for others _____%
- ☐ Public interest work _____%

(e) Are you content with the kind of work you are doing?
☐ Yes ☐ No

(f) Is your client contact ☐ same, ☐ less or ☐ greater than attorneys of opposite sex in your office?

(g) Have you experienced resistance on the part of male clients to accept your advice and counsel?

- ☐ never
- ☐ occasionally
- ☐ frequently
- ☐ almost always

(h) Have you experienced resistance on the part of female clients to accept your advice and counsel?

- ☐ never
- ☐ occasionally
- ☐ frequently
- ☐ almost always

(i) If you have experienced such resistance on the part of male clients, have you found that you were able to overcome it after a period of association with a client?

- ☐ always
- ☐ usually
- ☐ seldom
- ☐ hardly ever

(j) If you have experienced such resistance on the part of female clients, have you found that you were able to overcome it after a period of association with a client?

☐ always
☐ usually
☐ seldom
☐ hardly ever

4. If you work less than full time, how do your salary, vacation, sick leave and other benefits compare with full-time employees:

	Salary	Vacation	Sick Leave	Pension	Hospitalization	Life Insurance
Same						
Slightly Lower						
Substantially Lower						

5. Do you believe that you have been the object of discrimination because of your sex by your present employer, by your former employer, or by any potential employer from whom you sought a job, in Alaska in the last 5 years?

☐ certainly
☐ almost certainly
☐ probably
☐ probably not
☐ certainly not

6. Do you share in policy decisions in your office on an equal basis with other lawyers of similar status but opposite sex in the office? ☐ Yes ☐ No

7. Do you believe that you have been the object of discrimination because of your sex by one or more Alaskan judges in the past 5 years? ☐ Yes ☐ No

If yes,

How many times? ________
How many judges? ________
Client ever adversely affected? ☐ Yes ☐ No

D. Judgeships

1. Have you ever applied for a judgeship in Alaska?
☐ Yes ☐ No

2. Did you become a judge? ☐ Yes ☐ No

3. If not, what reason:

[ ] Not nominated by Judicial Council
[ ] Not appointed by Governor
[ ] Withdrew application prior to [ ] Judicial Council nominations; [ ] Governor's appointment.

4. Would you be interested in a judgeship at some point in your career?

[ ] Definitely   [ ] Maybe
[ ] Probably   [ ] No

5. If so, when: [ ] Near future [ ] Several years off

6. Would you presently be interested in a position on the Bar Association's Board of Governors? [ ] Yes [ ] No

7. Would you presently be interested in a position on the Judicial Council? [ ] Yes [ ] No

E. Rape and Divorce Cases

1. Has your practice included any rape cases? [ ] Yes [ ]No

If yes:

(a) How many? ________
(b) Prosecutor [ ] Defense [ ] Victim's attorney [ ]
(c) Was any aspect of the victim's prior sexual history explored in front of the jury? [ ] Yes [ ] No
(d) If yes, was a protective order against the admission of such evidence sought and denied? [ ] Yes [ ] No
(e) If yes, in your opinion, was such sexual history necessary to insure a fair trial for the defendant and not outweighed by the prejudicial effect of the evidence? [ ] Yes [ ] No

(f) Are you aware of any cases in which the victim has refused to file a complaint or testify because of the fear of having to reveal her prior sexual history? [ ] Yes [ ] No

2. As a general rule, do you take divorce and child custody cases? [ ] Yes [ ] No

3. Do you take child support enforcement cases?

[ ] Yes [ ] No

If no, because:

☐ too much trouble for too little money
☐ little chance success
☐ don't enjoy
☐ other (specify) ______________________________

4. If yes, what remedies do you find most successful:

☐ garnishment
☐ contempt
☐ other (specify) ______________________________

F. Bar Association Referrals

1. Would you support a requirement that the Bar Association referral service furnish at least two names of female lawyers along with two referrals of male lawyers in the event a client specifically requests a female attorney? ☐ Yes ☐ No

G. Family and Its Relationship to Your Career

1. Status ☐ Single ☐ Male
☐ Married ☐ Female

Number of children at home: _____ Ages: _______
Date of Marriage: ________________ Prior Marriage
and Divorce Dates: ______________________________

2. How are the responsibilities of managing home divided?

	Care of Children	House-work	Food Purch. & Prepn.	Mgt. of House-hold Accounts	Social Activ.	Fin. Support	Comm. Activ.
Entirely yours							
Shared equally							
Shared yours greater							
Shared yours less							
Entirely spouse's							
If hired help, show %							

3. Do you assume your career is secondary to home responsibilities ☐ Yes ☐ No; responsibilities of children ☐ Yes ☐ No; your spouse's career ☐ Yes ☐ No?

4. If you have had children subsequent to embarking upon a career, what was the effect upon your employment?

   ☐ Terminated

   ☐ Voluntarily
   ☐ Involuntarily

   ☐ Leave of absence

   ☐ With pay
   ☐ Without pay

   Duration of Leave: How soon after birth did you return to work: part time _______ full time _______.

   ☐ Was this medical decision
   ☐ Your decision
   ☐ Your employer's decision

   What child care arrangements:

   ☐ Babysitter/Day Care ☐ Live-in Help ☐ Relatives
   Has finding adequate child care been a problem? ☐ Yes
   ☐ No

H. General

Please feel free to elaborate on any of your preceeding answers, or to state any views you might have regarding the status of women, clients or professionals, in the Alaska justice system.

THANK YOU !

APPENDIX - B

Breakdown of Employment Patterns by Sex

(Percentages represent proportion of respondents of that sex indicating employment specified.)

	Government	Private Practice	Sole Practitioner
Men	19%	77%	31%
Women	35%	42%	9%

1965 Study*

	Government	Private Practice
Men	15.7%	62%
Women	33%	42.6%

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* From James J. White, Women in the Law, 65 Mich.L.Rev. 1051, 1058-59 (1967).

FOOTNOTES - THE LEGAL PROFESSIONALS

1. Julia C. Lambre and Victor L. Streib, Women Executives, Managers and Professionals in the Indiana Criminal Justice System, 8 Ind.L.Rev. 297, 301 (1974), quoting from Discrimination Against Women, Congressional Hearings on Equal Rights in Education and Employment, 502 (1973).

2. Figures derived from 1976 Membership lists furnished by the Alaska Bar Association.

3. See AS 18.80.220 and discussion of this statute in Section B of the Chapter.

4. Id.

5. James J. White, Women in the Law, 65 Mich.L.Rev. 1051, 1058-59 (1967).

6. Written statistics furnished by the Alaska Court System.

7. List of magistrates prepared by Magistrate System Coordinator Susan Miller, March 15, 1976.

8. Process described in AS 22.05.080 and amplified in telephone conversation with Michael Rubenstein, Executive Director of the Alaska Judicial Council, August 6, 1976.

9. Letter to Katz from Judge C. J. Occhipinti, September 21, 1976.

10. Letter to Katz from Judge Victor D. Carlson, September 28, 1976.

11. E.g., letters to Katz from Kristin O'Dowd (October 20, 1976); Barbara Macfarlane (September 24, 1976); and Virginia Burfield (September 23, 1976).

12. Letter to Katz from Kristin (Billings) O'Dowd, October 20, 1976.

13. Letter to Katz from Judge Eben H. Lewis, September 17, 1976.

14. Letter to Katz from Judge Carlson, supra note 10.

15. Letter to Katz from Judge Thomas E. Schulz, September 21, 1976.

16. Id.

17. Personal interview with Esther Wunnicke, September 9, 1976.

18. Telephone conversation with Dr. Greta Brown, October, 1976.

19. E.g., letters to Katz from Judge Thomas E. Schulz (September 21, 1976); interview with Judge Seaborn Buckalew, October 7, 1976.

20. Personal conversation with Sandra Saville prior to commencement of Study.

Conclusion

CONCLUSION

This study was designed to learn if women in Alaska are confronted by barriers to full equality in the justice system and in the fields of health, education and employment. The investigation has resulted in unequivocal, affirmative findings. We now know that educational materials are not free from anachronistic stereotyping, that female health problems do not receive adequate attention, that women are still, at this late date, channeled into low-income jobs, that battered and raped women do not get full measure from the justice system, that divorcees sometimes suffer at the hands of moralistic judges, that women prisoners grow ever more hostile against the society that confines them in inadequate facilities, and that our system for selecting judges fosters discrimination against women.

Numerous specific recommendations have been presented to meet the many specific problems examined. But a broader perspective and broader reforms are also needed. Increased funding for the Human Rights Commission is essential. Serious consideration should also be given to the establishment of an Alaskan commission on the status of women.

Pursuant to state law and court decisions, the Human Rights Commission has authority to investigate and resolve individual discrimination complaints, file class actions, conduct discrimination-related research and provide public education. Unfortunately, however, the Commission's practical ability to act is not commensurate with its authority. Limited funding restricts Commission activities essentially to the resolution of individual cases. Class action suits--the most effective means of combating institutional discrimination--and research and education--the sine qua non for changing ingrained attitudes underlying much discrimination--cannot be pursued. And even in regard to the handling of individual complaints, there is not enough money for expeditious processing. With current Commission backlogs, new cases take at least a year to process. If progress is to be made on our commitment to eradicating discrimination, its causes and effects, the Human Rights Commission must be more adequately funded.

However, because women's problems are so numerous and complex, and because they have been disregarded for so long, the Human Rights Commission probably cannot be expected to respond to them all, even with increased funding. Virtually every other state in the nation has a commission on the status of women. Alaska should explore the desirability of establishing such an agency, with financial support sufficient to allow it to function effectively.

The responsibilities of a status of women commission could be manyfold. As this study frequently illustrates, there is a substantial need for the collection of data on women's experiences and needs. Battered wives exemplify this information gap; it exists in regard to sex discrimination in employment, credit practices, education, law enforcement, various agency services, and other areas as well. The commission could also perform valuable analyses of sex stereotyping in the media, advertising, textbooks and counseling practices, to suggest only a few subjects. Information gathered by the agency could be made available to the Legislature, to industry and government and labor organizations and women's groups--and of course, to the Human Rights Commission. The status of women commission could also serve as a clearinghouse for information, ideas and activities emanating not only from the state and local municipalities, but also from other states, the federal government, and national organizations. The potential for further endeavors is limitless.

In considering the establishment of such a commission, objections concerning the expenditure of additional funds, the possibly divisive effect of providing a distinct organization for one "minority," and the questionable desirability of creating another bureaucracy would have to be weighed. But this study--albeit preliminary only--documents so many extensive problems in only a few areas of women's lives, that more than piecemeal reform appears to be necessary. It may well be that women require one agency solely directed to meeting their needs.

This study on the status of women, then, has presented a broad picture of women's problems in the areas of health, employment, education and the justice system. It has specified concrete recommendations for legislative reform, state agency action, funding of particular programs, attitudinal changes, and, in some cases, further study. And it has recommended increased funding for the Human Rights Commission and consideration of the establishment of a comission on the status of women. It now remains for this Legislature to follow the equalitarian lead established by its territorial forefathers in 1913. Action should be taken now to improve the status of women in Alaska.

Bibliography

Women and Education
Bibliography

Alaska. Department of Education. Minidirectory. Juneau, February, 1976.

Bollenbach, Amy and Mulcahy, Rena. "Obstacles Facing the Mature Woman in Career Development." (Paper, Education/Psychology 632 class). University of Alaska, Anchorage, 1975.

Dollarhide, Dan. "Women in Non-traditional Roles and How Its Changing." (Paper, Sociology 493 class). University of Alaska, Anchorage, December, 1976.

Education Commission of the States. Equal Rights for Women in Education. Report No. 77. Denver, 1976.

Franklet, Judy. "A Survey of Interscholastic Activities of Secondary Schools in Alaska(District and State Operated Schools)." (Paper, Education 697 class). University of Alaska, Auke Bay, January, 1976.

Green, Sanna. Counselor, Bartlett High School, Anchorage. Personal Communication, November 16, 1976.

Horr, Bill. "Introductory Psychology Texts: Sexual Bias in Graphic and Photographic Illustrations." (Paper, Sociology 493 class). University of Alaska, Anchorage, December, 1976.

Kiner, Marlaina. Office for Civil Rights, Region X. Letter to Marshall Lind, Alaska Commissioner of Education. September 1, 1976.

Lewis, Judith A. "Counselors and Women Finding Each Other." The Personnel and Guidance Journal. October, 1972.

Merritt, Sue. Counselor, East High School, Anchorage, and Director, Sex Equalities in Guidance Opportunities Program. Personal Communication, December 30, 1976.

National Education Association. Research Division. Professional Women in Public Schools - 1970-71, Research Bulletin. October, 1971.

Thomas, Niel. Alaska Commission for Human Rights, Anchorage. Personal Communication, December 23, 1976.

United States. Department of Commerce. Bureau of Census. A Statistical Portrait of Women in the U.S. Current Population Reports, Special Studies Series P-23, No. 58. Washington, D.C.: U.S. Government Printing Office, 1976.

United States. Department of Commerce. Bureau of Census. 1970 Census of Population: Detailed Characteristics, Alaska. Final Report PC(1)-D3. Washington D.C.: U.S. Government Printing Office, 1972.

University of Alaska. Professional Personnel Information Manual. Fairbanks.

Weitzman, Lenore J. and Rizzo, Diane. Biased Textbooks: Images of Males and Females in Five Subject Areas. Resource Center on Sex Roles in Education, National Education Association, 1974.

Wirtenberg, T. Jean and Nakamura, Charles Y. "Education: Barrier or Boon to Changing Occupational Roles of Women." Journal of Social Issues. Volume 32, No. 3, 1976.

Woods, Lynne. Human Relations Officer, Anchorage School District, Anchorage. Personal Communication, December 28, 1976.

Women and Employment
Bibliography

Alaska Court System, *Alaska Court System Annual Report*, April 8, 1976.

Alaska. Department of Health and Social Services. *FY 1976 Issue Analysis: The State of Alaska's Role in Day Care*, November, 1974.

Alaska. Department of Health and Social Services. Division of Public Health. Health Information Systems Section. *Alaska Vital Statistics, 1975*, November 20, 1976.

Alaska. Department of Health and Social Services. Division of Public Health. Health Information Systems. *1974 Vital Statistics, Provisional Figures*, April, 1976.

Alaska. Department of Labor. *Alaska Labor Force Estimates by Industry and Area, 1970-1974*.

Alaska. Department of Labor. Employment Security Division. *Alaska Annual Planning Report, 1976*, June, 1976.

Alaska. Department of Labor. Employment Security Division. *Alaska Economic Trends, 1970-1976*.

Alaska. Department of Labor. Research and Analysis Section. *Anchorage Annual Planning Report for Fiscal Year 1977*, July, 1976.

Alaska. Office of the Governor. Commission for Human Rights. *1975 Annual Report*. Anchorage, 1976.

Alaska State Medical Association, *1976 Health Directory*, Anchorage, 1976.

Alaska Statute. 18.80. *State Commission for Human Rights*.

All Alaska Weekly. October 15, 1976.

Astin, Helen S., Parelman, Allison, and Fisher, Anne (eds.). *Sex Roles: A Research Bibliography*. Washington, D.C.: U.S. Government Printing Office, 1975.

Barber, Bernard. *Social Stratification: A Comparative Analysis of Structure and Process*. New York: Harcourt, Brace and World, Inc., 1957.

Bayer, Alan E. and Astin, Helen S. "Sex Differentials in the Academic Reward System." Science, May, 1975.

Bell, Carolyn Shaw. "Working Wives and Family Income." Cited in Chapman, Robert and Gates, Margaret (eds.). Economic Independence for Women.

Bergstrom, Dianne. APEA State Headquarters. Personal Communications, November 22, 1976.

Bollenbach, Amy and Mulcahy, Rene. "Obstacles Facing the Mature Woman in Career Development." (Paper, Education/Psychology 632) University of Alaska, Anchorage, 1975.

Boston Women's Health Book Collective. Our Bodies, Ourselves. Rev. 2nd ed. New York: Simon and Schuster. 1976.

Briggs, Shirlee. "A Study of Entry Level Experience Requirements and Advancement Opportunities in Clerical/Secretarial Positions with the State of Alaska." (Paper) Alaska Department of Education. Equal Employment Opportunity Task Force. October, 1974.

Chapman, Jane Roberts (ed.). Economic Independence for Women: The Foundation for Equal Rights. Beverly Hills/London: Sage Publications. 1976.

Clark, Susan. Day Care: Alaska's Unmet Need. (mimeographed), Juneau: Juneau League of Women Voters, 1975.

Dolezal, Patricia L. and Ender, Richard L. 1976 Census Update of the Anchorage Municipality. University of Alaska, Anchorage Urban Observatory, September, 1976.

Epstein, Cynthia. "Positive Effects of the Multiple Negative: Explaining the Success of Black Professional Women." Cited in Huber, Joan (ed.) Changing Women in a Changing Society. Chicago: University of Chicago Press, 1973.

Epstein, Cynthia. Woman's Place: Options and Limits in Professional Careers. Berkeley: University of California Press, 1970.

Fairbanks North Star Borough. Impact Information Center Report Number 32, December 15, 1976.

Featherman, David L. and Hauser, Robert M. "Sexual Inequalities and Socioeconomic Achievement in the U.S., 1962-1973." American Sociological Review, Vol. 41, No. 3, June, 1976.

Ferber, Marianne A. and Loeb, Jane W. "Performance, Rewards, and Perceptions of Sex Discrimination Among Male and Female Faculty." Cited in Huber, Joan (ed.) Changing Women in a Changing Society. Chicago: University of Chicago Press, 1973.

Fison, Sue. Information Officer, Fairbanks North Star Borough Impact Office. Personal Communication, December, 1976.

Gornick, Vivian and Moran, Barbara K. (eds.). Women in Sexist Society: Studies in Power and Powerlessness. New York: New American Library, 1971.

Griffiths, Martha W. "How Much is a Woman Worth? The American Public Policy" in Chapman, Jane Roberts and Gates, Margeret (eds.) Economic Independence for Women: The Foundation for Equal Rights. Vol. 1. Women's Policy Studies. Beverly Hills, Calif.: Sage Publications, 1976.

Hall, Florence Turnbull. "The Case of the Late Mrs. Smith, Homemaker: Preparing Testimony for the Court." Journal of Home Economics, Volume 67, Number 6 (November, 1975).

Hollender, Janice. "Women in the Labor Market." Alaska Department of Labor, Alaska Economic Trends, December, 1975.

Huber, Joan. Changing Women in a Changing Society. Chicago: University of Chicago Press, 1973.

Janeway, Elizabeth. Man's World, Woman's Place. New York: Dell, 1972.

Jones, Dorothy M. "The Urban Native Encounters the Social Service System." ISEGR Report No. 42. Fairbanks: Institute of Social, Economic and Government Research, University of Alaska, 1974.

Jones, Dorothy M. "Urban Native Men and Women - Differences in their Work Adaptations." ISEGR Occasional Paper No. 12. Fairbanks: Institute of Social and Economic Research, Univeristy of Alaska, 1976.

Kleinfeld, Judith and Kruse, John. "Women in Fairbanks: a Summary of Data from the Fairbanks Community Survey" paper presented at the November, 1976 Behavioral Sciences in the North Conference, Anchorage, Alaska, November, 1976.

Lipman-Blumen, Jean and Tickamyer, Ann R. "Sex Roles in Transition: A Ten Year Perspective." In Inkeles, Alex (ed.), Coleman, James and Smelser, Neil (assoc. eds.). Annual Review of Sociology, Volume 1. Palo Alto: Annual Reviews, Inc., 1975.

Mason, Karen Oppenhem, Czajka, John L. and Arber, Sara. "Change in U.S. Women's Sex Role Attitudes, 1964-1974." American Sociological Review, Vol. 41, No. 4, August, 1976.

McNeil, John and Sater, Douglas. "Recent Changes in Female to Male Earnings Ratios" cited in U.S. Department of Commerce. Bureau of Census. A Statistical Portrait of Women in the U.S. Washington, D.C.: U.S. Government Printing Office.

Miller, Mary Alice. Alaska Court System. Letter dated August 3, 1976.

Morgan, Robin. Sisterhood is Powerful: of Writings from the Women's Liberation Movement. New York: Vintage Books, 1970.

National Bank of Alaska. Economics Department. 1976 Forecast of Alaska's Economy.

National Bank of Alaska. Economics Department. "Alaska's Economy in 1975: Midyear Review and Outlook: July, 1975."

National Commission on the Observance of International Women's Year. To Form a More Perfect Union. Washington, D.C.: U.S. Government Printing Office.

National Opinion Research Center, "Jobs and Occupations: a Popular Evaluation," in Bendix, Reinhard and Lipset, Seymour Martin (eds.). Class, Status and Power: A Reader in Social Stratification. Glencoe, Illinois: The Free Press of Glencoe, Illinois, 1953.

National Science Foundation, Manpower Resources for Scientific Activities at Universities and Colleges, January, 1975, Washington D.C.: U.S. Government Printing Office, May, 1976.

North Carolina Commission on the Education and Employemt of Women. The Status of Women in North Carolina. 1st Edition, Raleigh: 1974.

Oppenheimer, Valerie Kincade. "Demographic Influence on Female Employment and the Status of Women" in Huber, Joan (ed.) Changing Women in a Changing Society. Chicago: University of Chicago Press, 1973.

Oppenheimer, Valerie Kincade. "The Female Labor Force in the United States: Demographic and Economic Factors Governing its Growth and Changing Composition." Population Monograph Series Number 5. University of California, Berkeley: Institute of International Studies, 1970.

Oppenheimer, Valerie Kincade. "The Sex-labeling of Jobs" Industrial Relations 7(3): 219-235, 1968.

Peters, Cara. Chairperson, Fairbanks N.O.W. Employment Compliance Task Force, January 6, 1977.

Peters, Cara. "Alaska's 8 Percent Construction Goal for Women." (mimeographed) Anchorage, 1975.

Robert R. Nathan Associates, Inc. 2(c) Report: Federal Program and Alaska Natives, 3 volumes. Anchorage: 1975.

Robert R. Nathan Associates, Inc. The Cost of Living in Alaska and Federal Poverty Guidelines. A Draft Report prepared for Rural CAP and the State of Alaska, Division of Community Services, Department of Community and Regional Affairs, Washington D.C., June 30, 1976.

Roby, Pamela. "The Condition of Women in Blue-Collar Jobs" in Chapman, Jane Roberts and Gates, Margaret (eds.) Economic Independence for Women: The Foundation for Equal Rights. Vol 1. Women's Policy Studies. Beverly Hills, Calif.: Sage Publications, 1976.

Ross, Heather L. "Poverty: Women and Children Last" in Chapman, Jane Roberts and Gates, Margaret (eds.) Economic Independence for Women: The Foundation for Equal Rights. Vol 1. Women's Policy Studies. Beverly Hills, Calif.: Sage Publications, 1976.

Ross, Susan C. The Rights of Women, an American Civil Liberties Union Handbook. New York: Avon Books, 1973.

Rossi, Alice S. (ed.) The Feminist Papers: From Adams to De Beauvoir. New York: Bantom Books, 1974.

Rossi, Alice S. "Women in Science: Why so Few?" Science 148(3674) 1965, pp. 1196-1202.

Sheehy, Gail. Passages: Predictable Crises of Adult Life. New York: E.L. Dutton and Co., Inc., 1974 and 1976.

Suter, Larry E. and Miller Herman P. "Income Differences Between Men and Career Women" in Huber, Joan (ed) Changing Women in a Changing Society. Chicato: University of Chicago Press, 1973.

Tundra Times. May 5, 1976.

United States Army. Headquarters, 172nd Infantry Brigade (Alaska). 1976 Equal Employment Opportunity Report (for civilian employees). November 29, 1976.

United States Commission on Civil Rights. Women and Poverty. Washington, D.C.: U.S. Government Printing Office, June, 1974.

United States. Department of Commerce. Bureau of the Census. A Statistical Portrait of Women in the U.S. Washington, D.C.: U.S. Government Printing Office, 1976.

United States. Department of Commerce. Bureau of the Census. Current Population Reports, Special Studies, P-23, No. 50, "Female Family Heads." Washington, D.C.: U.S. Government Printing Office, July, 1974.

United States. Department of Commerce. Bureau of the Census. Summary Manpower Indicators, Anchorage, 1970 Census.

United States. Department of the Interior. Bureau of Indian Affairs. Anchorage Field Employment Assistance Office. Annual Report, Fiscal Year 1973.

United States. Department of the Interior. Bureau of Indian Affiars. Anchorage Field Employment Assistance Office. Annual Report, Fiscal Year 1974.

United States. Department of the Interior. Bureau of Indian Affairs. Anchorage Field Employment Assistance Office. Annual Report, Fiscal Year 1975.

United States. Department of the Interior. Fish and Wildlife Service, Alaska Area Fish and Wildlife Service E.E.O. Report for Fiscal 1976, December, 1976.

United States. Department of Labor. Women's Bureau. 1969 Handbook on Women Workers, Bulletin 294. Washington, D.C.: U.S. Government Printing Office, 1969.

United States. Office of the President. 1975 Manpower Report of the President. (Including Reports by the U.S. Department of Labor and the U.S. Department of Health, Education and Welfare). Washington, D.C.: U.S. Government Printing Office, 1975.

United States. Office of the President. 1976 Employment and Training Report of the President. (Including Reports by the U.S. Department of Labor and the U.S. Department of Health, Education and Welfare). Washington, D.C.: U.S. Governemtn Printing Office, 1976.

United States. Department of Labor. Manpower Administration. Summary Manpower Indicators for Anchorage. July 2, 1972.

United States. Department of Labor. Women's Bureau. "Why Women Work." July, 1976.

Th United States Law Week, Supreme Court Opinions, Volume 45, Number 22, December 7, 1976.

Toffler, Alvin. Future Shock. New York: Random House Publishers, 1970.

Tyree, Andrea and Treas, Judith. "The Occupational and Marital Mobility of Women." American Sociological Review, Vol. 39., No. 3, June, 1974.

Walker, Kathryn E. "Household Work Time: Its Implication for Family Decisions." Journal of Home Economics, October, 1973.

Weisstein, Naomi. "Kinder, Küche, Kirche as Scientific Law: Psychology Constructs the Female." Motive, March-April, 1969.

Wertheimer, Barbara M. "Search for a Partnership Role: Women in Labor Unions Today" in Chapman, Jane Roberts and Gates, Margaret (eds.) Economic Independence for Women: The Foundation for Equal Rights. Vol. 1, Women's Policy Studies. Beverly Hills, Calif.: Sage Publications, 1976.

"Women at Work." Newsweek. December 6, 1976, pp. 68-79.

Women and Mental Health
Bibliography

Abbott, A.P. and Kehoe, J.P. "Mental Health Practice in the Yukon." Canada's Mental Health, January/February, 1972.

Alaska. Department of Health and Welfare. Morbidity Survey of Selected Urban Areas in Anchorage and Fairbanks, Alaska. San Francisco: Scientific Analysis Corporation, 1970.

Alaska. Department of Health and Social Services. Health Information Systems. 1974 Vital Statistics, Provisional Figures. Juneau: April, 1976.

Alaska. Department of Health and Social Services. Office of Alcoholism. Allocation of Adult Alcoholics in Alaska by Geographic, Sex and Race Indices. Juneau: (prepared by) Alaska Center for Research, Planning and Development, July, 1973.

Alaska. Office of the Governor. Current Population Estimates by Census Division. Juneau: July, 1975.

Alaska State Medical Association. 1976 Health Directory. Anchorage: 1976.

Anchorage Municipality. Greater Anchorage Area Borough Health Survey. 1973.

Bernard, Jesse. "The Paradox of a Happy Marriage" in Gornick, Vivian and Moran, Barbara K. (eds.) Women in Sexist Society. New York: New American Library, 1971.

Bloom, Joseph. "Migration and Psychopathology of Eskimo Women." Paper presented at meeting of American Psychiatric Association, Dallas, Texas, May, 1972.

Bollenbach, Amy and Mulcahy, Rena. "Obstacles Facing the Mature Woman in Career Development." (Paper, Education/ Psychology 632 class). University of Alaska, Anchorage, 1975.

Brewster, Nancy. "Wife Beating: Male Enforcement of Status and Property Rights." (Bachelor Honor's Thesis). University of California, Berkeley: 1976.

Broverman, Inge K. "Sex-Role Stereotypes and Clinical Judgements of Mental Health." Journal of Consulting and Clinical Psychology, 34(1970.

Chesler, Phillis. Women and Madness. New York: Avon Books, 1972.

Chesler, Phillis. "Women in the Psychotherapeutic Relationship." In Gornick, Vivian and Moran, Barbara K. (eds.) Women in Sexist Society. New York: New American Library, 1971.

Erikson, Erik H. "Inner and Outer Space: Reflections on Womanhood." Daedalus 93(1964).

Forsythe, Karla and Hall, Jewel. Alaska Legal Services. Personal Communication, November 2, 1976.

Fotjik, Kathleen M. "How to Develop a Wife Assault Task Force Project." Wife Beating. Ann Arbor, Michigan: Women Against Violence Against Women, n.d. (mimeo).

Freud, Sigmund. New Introductory Lectures in Psychoanalysis. New York: W.W. Norton, 1953.

Fuld, Deena. "A Study of Mental Health Services in Anchorage," (Masters Thesis). University of Alaska, Anchorage, 1972.

Gove, Walter R. and Tudor, Jeanette F. "Adult Roles and Mental Illness" in Huber, Joan (ed.) Changing Women in a Changing Society. Chicago: University of Chicago Press, 1973.

Hill, Judy. Deputy Director, Criminal Justice Planning Agency. Letter to Joan Katz, August 30, 1976.

John, Carolyn. Information and Referral Services, Anchorage Municipality, Anchorage.

Jones, Dorothy M. Urban Native Men and Women: Differences in Their Work Adjustment. Fairbanks: Institute of Social and Economic Research, 1976.

Kraus, Robert F. "Suicidal Behavior in Alaska Natives." Alaska Medicine, Vol. 16, #1, 1974.

Kraus, Robert F. Psychiatrist, Anchorage. Personal Communication. December 3 and 23, 1976.

Martin, Mel. Computer Section, Alaska Court System. Personal Communication, December, 1976.

Nachman, Barbara. Psychologist, Alaska Native Medical Center, Alaska Area Native Health Services. Personal Communication, October 10, 1976.

Parkin, Michael. "Suicide and Culture in Fairbanks." Psychiatry, Vol. 37, February, 1974.

Pizzey, Erin. Scream Quietly or the Neighbors Will Hear. Middlesex: 1974.

Price, Jim. Alaska Mental Health Needs Assessment. Alaska Division of Health and Social Services, Department of Mental Health, Community Mental Health Services, 1976.

Rheingold, J. The Fear of Being a Woman. New York: Greene and Stratton, 1964, cited in Gornick, Vivian and Moran, Barbara K. (eds.) Woman in Sexist Society. New York: New American Library, 1971.

Robert R. Nathan Associates. 2(c) Report: Federal Programs and Alaska Natives. Anchorage: 1974.

Rubin, Lillian B. Worlds of Pain: Life in the Working Class Family. New York: Basic Books, 1976.

Smith, Linda. Statistician, Alaska Department of Health and Social Services, Division of Mental Health. 1976.

The Sterling County Study of Psychiatric Disorder and Sociocultural Environment. 3 vol. (New York: Basic Books, Inc.) Vol. I, My Name is Legion, Alexander H. Leighton, 1959; Vol. II, People of Cove and Woodlot, Charles C. Hughes, et. al., 1969; Vol. III, The Character of Danger, Dorothea Leighton, 1963.

Stoll, Clarice Stasz. Female and Male: Socialization, Social Roles, and Social Structure. Dubuque, Iowa: Wm. C. Brown Co., 1974.

United States. Department of Commerce. Bureau of Census. 1970 Census of Population: Detailed Characteristics, Alaska. Final Report PC(1)-D3. Washington, D.C.: U.S. Government Printing Office, 1972.

Women and Physical Health
Bibliography

Alaska. Department of Health and Social Services. Health Information Systems. *Abortion Report*.

Alaska. Department of Health and Welfare. *Morbidity Survey of Selected Urban Areas in Anchorage and Fairbanks, Alaska*. San Francisco: Scientific Analysis Corporation, 1970.

Alaska. Department of Health and Social Services. Health Information Systems. *1974 Vital Statistics, Provisional Figures*. Juneau: April, 1976.

Alaska Health Manpower Corporation. *A Health Manpower Survey for the State of Alaska*. Anchorage: 1972.

Anchorage Municipality. *Greater Anchorage Area Borough Health Survey*. 1973.

Boston Women's Health Collective. *Our Bodies Ourselves*. New York: Simon and Schuster, 1971.

Brooks, Ivy. Anchorage Family Planning Center. Anchorage. Personal Communication. December 2, 1976.

Cade, J.D. and Jessee, W.F. "Sex Education in American Medical Schools." *Journal of Medical Education*, Vol. 46, January, 1971.

Chase, Lynn and Saylors, Brian. *Health Service Area Plan* (for Health Service Planning Task Force). Anchorage: South Central Planning and Development, March, 1975.

Civish, Brenda. Anchorage Family Planning Center, Anchorage. Personal Communication, December 8, 1976.

D[illegible]t, Martha. Clary Insurance Co. Anchorage, Personal Communication, November 16, 1976.

Fleshman, Kenneth. Alaska Native Medical Center, Anchorage. Personal Communication, October 28, 1976.

Frank, Diane. "Occupational Choices of Youth." (Paper, Sociology 493 class) University of Alaska, Anchorage, December, 1976.

Frazier, David. Blue Cross of Washington and Alaska. Anchorage. Personal Communication, December 2, 1976.

Lappo, John. Alaska Department of Health and Social Services. Division of Public Assistance, Medical Assistance Office. December 28, 1976.

Lewis, Deborah A. "Insuring Women's Health." *Social Policy*, Vol. 7, No. 1, 1976.

Marieskind, Helen I. "Helping Oneself to Health." *Social Policy*, Vol. 7, No. 2, 1976.

Price, Jim. *Alaska Mental Health Needs Assessment*. Alaska Division of Health and Social Service, Department of Mental Health, Community Mental Health Services, 1976.

Simke, Roger. Mutual of Omaha Insurance Company, Anchorage. Personal Communication, November 16, 1976.

Sprague, Gardener. "The Psychosomatic Aspects of Obstetrics" in Eastman, Nicholson and Hellman, Lows (eds.) *Williams Obstetrics*, 13th Ed. New York: Appleton Century Crafts, 1966.

United States. Department of Commerce. Bureau of Census. *1970 Census of Population: Detailed Characteristics, Alaska*. Final Report PC(1)-D3, Washington D.C.: U.S. Government Printing Office, 1972.

United States. Department of Health, Education and Welfare. Public Health Service. Health Resources Administration. *Health: United States, 1975*. Publication No. (HRA) 76-1232. Washington D.C.: U.S. Government Printing Office, 1975.

Wallace, Carolyn. Abortion Counselor, Alaska Clinic, Alaska Hospital and Medical Center. Anchorage. Personal Communication, October 28, 1976.

Wilson, J. Robert. *Obstetrics and Gynecology*, 4th Ed. St. Louis: The C.V. Mosby Co., 1971.

Wilson, Martha. Chief, Office of Program Development, Alaska Area Native Health Services. Personal Communication, January 2, 1977.

The Justice System
Bibliography

Books and Articles

Alaska. Department of Health and Social Services. Division of Corrections. *Female Admissions, 1971-1973*.

Alaska. Department of Health and Social Services. Division of Corrections, Anchorage Annex. *Female Bookings - June, 1975*.

Alaska. Uniform Crime Reports. *1975 Arrests by Offense and Sex*.

Alaska Criminal Justice Planning Agency. *Criminal Justice Plan 1976*.

Alaska Criminal Justice Planning Agency. *Draft 1977 Criminal Justice Plan*.

Alaska Criminal Justice Planning Agency. *1976 Juvenile Justice and Delinquency Prevention Comprehensive Plan Supplement for the State of Alaska*.

Alaska Youth Advocates. *Project Plan*, 1976.

Anchorage Times, September 29, 1976.

Bard, Morton and Ellison, Katherine. "Crisis Intervention and Investigation of Forcible Rape," *The Police Chief*, May, 1974.

"Battered Wives: Now They're Fighting Back." *U.S. News and World Report*, September 20, 1976.

Brewster, Nancy. "Wife Beating: Male Enforcement of Status and Property Rights." (Bachelors Honors Theses) University of California, Berkeley. 1976.

Brownmiller, Susan. *Against Our Will: Men, Women and Rape*. New York: Simon and Schuster, 1975.

Cadden, Vivian. "The Case Against Divorce Lawyers." *McCall's*, November, 1976.

Chappell, Duncan. "Forcible Rape and the Criminal Justice System." *Crime and Delinquency*, April, 1976.

Chappell, Duncan. "Victim Selection and Apprehension from the Rapist's Perspective: A Preliminary Investigation." Paper presented at Second International Symposium on Victimology. Boston, Mass., September 8, 1976.

Citizen's Advisory Council on the Status of Women, "Recognition of Economic Contribution of Homemakers and Protection of Children in Divorce Law and Practice," CACSW Item 40-N, Revised March, 1975.

"Courtroom Strategems Draw Fines," The Anchorage Times, September 17, 1976.

Criminal Code Revision Commission. Draft of Sexual Offenses Chapter. August, 1976.

Cromley, Ray. "Minimizing the Crime Rate." The Anchorage Times, September 29, 1976.

Crowell, Suzanne. "The Federal Reformatory for Women: What Does It Accomplish?" Civil Rights Digest, Fall, 1974.

Female Offenders Resource Center. American Bar Association. Female Offenders: Problems and Programs. April, 1976.

Forcible Rape: A National Survey of the Response by Prosecutors. Seattle: Battelle Law and Justice Center, November, 1975.

Gingold, Judith. "One of These Days - POW! Right in the Kisser." Ms., August, 1976.

Haft, Marilyn. "Legal Challenges to Unequal Treatment of Women Offenders." The Women Offender Report, July/August, 1975.

Haft, Marilyn G. Women in Prison.

Kalven, H. and Zeisel H. The American Jury 253:(1976) 250.

Lambre, Julia C. and Streib, Victor L. "Women Executives, Managers, and Professionals in the Indiana Criminal Justice Systems." 8 Indiana Law Review 297, 301(1974).

Law Enforcement Assistance Administration. Rape and Its Victims, A Report for Citizens, Health Facilities, and Criminal Justice Agencies. November, 1975.

LeGland, Camillo E. "Rape and Rape Laws: Sexism in Society and Law." Gl Calif. L.R.919, 921(1973).

Martin, Del. Battered Wives. San Francisco: Glide Publications, 1976.

Marzano, Mary. "Hospital Ward Treats Sex Offenders." The Anchorage Times, November 24, 1976.

Nagel and Weitman. "Double Standard of American Justice." Cited in "Women's Prisons: Laboratories for Penal Reform." Wisconsin Law Review, (1973).

National Commission on the Observance of International Women's Year, 1976. To Form a More Perfect Union. Washington, D.C.: U.S. Government Printing Office, 1976.

National Conference of Commissioners on Uniform State Laws. Uniform Marriage and Divorce Act. 1970 and 1973.

Newman, Dorothy. "Survey of Battered Wives." University of Alaska, December, 1976.

Pierce, Catherine. "State Profile: Young Women Offenders in Massachusetts." The Woman Offender Report, July/August, 1975.

Sarri, Rosemary, et. al. The Female Offender: An Annotated Bibliography. University of Michigan, School of Social Work. August, 1975.

Saville, Sandra. "The Legal Status of the Homemaker in Alaska." Paper prepared for Center for Women Policy Studies, National Commission on Observance of International Women's Year, Aust, 1976.

Sommers, Tish. "The Compounding Impact of Age on Sex." Civil Rights Digest, Fall, 1974.

Stark, Rodney and McIvoy, James III. "Middle Class Violence." Psychology Today, November, 1970.

Strauss, Murray A. "Sexual Inequality, Cultural Norms, and Wife Beating" in Viano, Emilio C. (ed.) *Victims and Society*. Washington, D.C.: Visage Press, 1976.

Survey Research Center. University of Michigan. "Five Thousand American Families," cited in National Commission on the Observance of International Women's Year, 1976. *To Form a More Perfect Union*. Washington, D.C.: U.S. Government Printing Office, 1976.

Uniform Laws Annotated, Vol. 9. St. Paul: West Publishing Co., 1973.

United States. Department of Health, Education and Welfare. Office of Youth Development. *Runaway Project Grant Application*, July, 1976.

United States. Department of Health, Education and Welfare. Public Health Service. Health Resources Administration. *Health: United States, 1975*. Publication No. (HRA)76-1232. Washington, D.C.: U.S. Government Printing Office, 1975.

Van Gelder, Lawrence. "Giving Battered Wives a Little Legal Clout." *New York Times*, November 13, 1976.

White, James J. "Women in the Law." 65 Michigan Law Review. 1051, 1058-59, (1967.

Zufeut, Peggy A. Memorandum (and attachment) to Corrections Task Force members. January 20, 1976.

Letters and Interviews

Anderson, Rose. Director, Girls Cottage, McLaughlin Youth Center. Alaska Department of Health and Social Services. Division of Corrections. Interview, September 2, 1976.

Assistant Public Defender. Anchorage. Interview, September 1, 1976.

Balfe, Joseph. Interview. October 15, 1976.

Barnard, Sam. Alaska Department of Public Safety. Division of Alaska State Troopers. Interview, October 10, 1976.

Brown, Greta. Personal Commication (telephone), October, 1976.

Buckalew, Seaborn. Judge. Interview, October 7, 1976.

Burfield, Virginia. Letter to Joan Katz, September 23, 1976.

Burke, Edmund. Justice. Letter to Joan Katz, September 8, 1976.

Carlson, Victor D. Judge. Letter to Joan Katz, September 28, 1976.

Choquette, William. Attorney. Personal Communication (telephone), October, 1976.

Clemens, Bob. Anchorage Police Department. Personal Communication (telephone), October 26, 1976.

Compton, Allen T. Judge. Letter to Joan Katz, September 7, 1976.

Connor, Roger G. Justice, Anchorage. Letter to Joan Katz, September 3, 1976.

Deamond, John H. Justice. Letter to Joan Katz, September 7, 1976.

E.A. Letter to Joan Katz, October 1, 1976.

Erwin, Robert. Justice. Interview, October 5, 1976.

Forsythe, Karla. Alaska Legal Services. Interview, September 30, 1976.

Giesler, Michael. Social Worker. Interview, October 11, 1976.

Gordon, Susan. Alaska Youth Advocates. Interview, October 8, 1976.

Gordon, Susan. Alaska Youth Advocates. Letter to Gail Rowland, Chairman, Juvenile Justice Advisory Commission, August 10, 1976.

Hansen, James A. Letter to Joan Katz, September 27, 1976.

Heinmiller, Carl W. Letter to Joan Katz, September 21, 1976.

Hill, Judy. Deputy Director, Criminal Justice Planning Agency. Letter to Joan Katz, August 30, 1976.

Lewis, Eben A. Judge. Letter to Joan Katz, September 17, 1976.

MacFarlane, Barbara. Letter to Joan Katz, September 24, 1976.

Machner, Herb. Asst. Director, Alaska Department of Health and Social Services. Division of Corrections. Personal Communication (telephone), December 13, 1976.

Madsen, Roy H. Judge. Letter to Joan Katz, September 21, 1976.

Merriner, Charles. Assistant District Attorney. Personal Communication (telephone).

Messer, Cheryl. Interview. August 11, 1976.

Middleton, Melissa. Personal Communication (telephone), November 17, 1976.

Moses, Charles. Superintendent, Alaska Correctional Center Annex at Anchorage. Interview, August 26, 1976.

Murphy, Gene. Personal Communication (telephone), December 2, 1976.

Nash, Phillip. Administrator, Child Support Enforcement Agency. Interview, October 15, 1976.

Occhipinti, C.J. Judge, Anchorage. Letter to Joan Katz, September 21, 1976.

O'Dowd, Kristin Billings. Letter to Joan Katz, October 20, 1976.

Porter, Brian S. Captain and Chairman, Alaska Police Standards Council. Letter to Joan Katz, September 2, 1976.

Pugh, John. Program Director, McLaughlin Youth Center. Alaska Department of Health and Social Services. Division of Corrections. Interview, September 2, 1976.

Ravin, Mona. Letter to Joan Katz, September 14, 1976.

Ring, Peter. Criminal Justice Center. University of Alaska. Interview, October 22, 1976.

Rubenstein, Michael. Executive Director, Alaska Judicial Council. Personal Communication (telephone), August 6, 1976.

Schultz, Thomas E. Judge, Anchorage. Letter to Joan Katz, September 21, 1976.

Sprecker, Sheldon. Personal Communication (telephone), September 24, 1976.

Stoneburner, Terri. Legal Intern at Purely Treatment Center for Women. Interview, December 7, 1976.

Tennant, Bruce. Attorney, Child Support Enforcement Agency. Personal Communication (telephone), September 6, 1976.

Val, Jan. Investigator, Anchorage Police Department. Personal Communication (telephone), October 26, 1976.

Walsh, David. Personal Communication (telephone), December 3, 1976.

Warner, Jay. Alaska Court System Intake Officer, Third Judicial District. Interview, October 11, 1976.

Weaver, G., Captain, and Shanks, Patricia. Anchorage Police Department. Interview, November 29, 1976.

Wuunicke, Esther. Interview, September 9, 1976.

Alaska Constitution and Statutes

Alaska Constitution, Article 1, Section 12.

Alaska Statute 9.55.200.

Alaska Statute 9.55.210.

Alaska Statute 9.55.210(2).

Alaska Statute 9.55.210(6).

Alaska Statute 9.55.234(a)(2).

Alaska Statute 9.11.234(f).

Alaska Statute 11.15.150.

Alaska Statute 11.15.160.

Alaska Statute 11.15.190.

Alaska Statute 11.15.225.

Alaska Statute 11.15.230.

Alaska Statute 11.15.290.

Alaska Statute 11.15.295.

Alaska Statute 11.45.030.

Alaska Statute 12.25.030.

Alaska Statute 12.30.020.

Alaska Statute 12.45.045.

Alaska Statute 18.67.010.

Alaska Statute 18.67.100.

Alaska Statute 18.67.130(b).

Alaska Statute 18.80.220.

Alaska Statute 22.05.080.

Alaska Statute 33.15.080.

Alaska Statute 33.30.020.

Alaska Statute 33.30.040.

Alaska Statute 47.10.080.

Alaska Statute 47.17.010.

Alaska Statute 47.23.010.

Alaska Statute 47.23.070.

Cases Cited

L.A.M. v. State, 547 P. 2d 827 (1976).

Gesicki v. Oswald, 336 F. Supp. 371 (S.D.N.Y. 1971).

Johansen v. State, 491 P. 2d 759 (Alaska 1971).

In re a Minor Child, 490 P.2d 658 (1971).

King v. King, 477 P.2d 356 (Alaska 1970).

Commonwealth v. Stanffer, 214Aa Super 113, 251 A2d 718 (1969).

Groff v. Groff, 408 P.2d 998, 1001 (Alaska 1965).

Inmates v. Williamson. Alaska. Fourth Judicial District. Superior Court Case No. 76-868.

Alaska. Third Judicial District. Superior Court Case No. 76-1700CR.

Alaska. Third Judicial District. Superior Court Case No. 76-6773.

Alaska. Third Judicial District. Superior Court Case No. 74-132.

Alaska. Third Judicial District. Superior Court Case No 74-2326.

Alaska. Third Judicial District. Superior Court Case 73-3287.

Thomas v. State of Alaska, et. al., Human Rights Commission Docket No. a-75-0306-115-ES.